evious references. Vol to 1 19 (Sep

File No. 1 of 75-76.

Serial Nos. 1 – 25

ter references.

R. 35-00.

R. a. 1885 in c. to Dec 17

R 21-97-26.

GENERAL AND REVENUE SECRE~~TARIAT.~~

Serial Nos. 1 – 25

~~Part~~ B. for February 1880.

SUBJECT

Introduction of the Opium Act and Rules to Mysore.

From The Secy Govt of India, Legislative Deptt No 500 dt 13.2 No 99. Forwards for opinion a Bill to amend the law relating to opium and requests that the Bill and Statement may be published in the Mysore Gazette.

To – The Commissr No 5174/62 dt – 23.9.75. Requests for publication of the above in three issues of the Mysore Gazette in Canarese and English.

To – The Secy to the Govt of India, Legislative Deptt Calcutta No 2836/69 dt – 16 January 76. Forwards opinion with regard to the Bill to amend the law relating to opium.

From the Secy to the Govt of India Legislative Deptt. No 498 dt – 21.7.76.

S. 58 Q 2603/1070. Forwards for opinion three copies of the Bill No II to amend ~~the~~ law relating to opium and Repr

Informs that, for certain reasons, it is inexpedient to publish the Bill (No 4) and Report relating to opium in the Mysore Gazette.

From The Govt of India Financial Deptt No 2465 dt - 31.12.76

O 3728/No 53. Requests that in anticipation of the Bill relating to opium being shortly passed, rules on the various matters referred to Section 8 may be framed and submitted for Sanction.

To - The Secy to the Govt of India, Financial Deptt, Simla

No 6058/R33 dt - 20th Sep 1876.

Observes that it is not intended that the provisions of the Act should be introduced in this Province.

From. Offg Under Secy to Govt of India, Financial Deptt

No 4082 dt - 31.10.77

4412/R. M 1032. States that extension to Mysore of the Opium Act of 1876 is contemplated, and requests that rules on various matters referred to in Sec 8 of the Act may be framed and submitted as early as possible, draft rules

From The Asst Secy to the Govt of India, Financial Deptt

No 2943 dt - 31.12.77

O 5025/88. Invites attention to his No: 4082 dt - 31-10-77 and requests to expedite the submission of the draft rules under Sec 8 of the Opium Act 1876 for Mysore Coorg.

To - The Secy to the Govt of India, Financial Deptt.

No 10306/54 dt - 22/23 Dec by 1878.

Forwards draft rules on the subject of Opium Act of 1876.

From the Financial Deptt. Simla. No Telegram dt - 8.6.

6999/8. Enquires whether he concurs with Mr Saunders in his proposal to abolish Opium Cultivation entirely in Mysore.

To. The Financial Deptt, Simla No Telegram dt 15.6.7.

Signals that the Chief Comr considers prohibition of cultivation of opium objectionable.

From the Secy to the Govt of India, ~~Foreign~~ Deptt.

O 1249/32. ~~No 4011 dt - 21 Aug 1878~~ Telegram dt-24.6.98 Signals to explain his views in detail by letter to the Financial Deptt.

To. The Secy to the Govt of India, Financial Department

No 4011/19 dt - 21/22 Aug 1878.

Communicates the Chief Comrs views on the subject of the extension of the Opium Act of 1876. to the Province of Mysore.

From The Secy to the Govt of India. Foreign Department

2822 No 892 dt 19.10.78.

Letter No 500 dated 13th June 1875
From Legn Dispatch Govt of India

A° 392.

Memo:

Letter No. 500 of 13th September 1875 from the Secretary to the Govt of India, Legislative Deptt.

With the above, the Secretary to the Govt. of India forwards for opinion a Bill to amend the law relating to Opium and requests that the Bill and the Statement of objects and reasons may be published in the Mysore gazette.

2. Annually a Return shewing the Extent of land cultivated with Poppy is received from the Bundydroog Division. The one for the year 1874/75 shews that 306-8-23½ Area G. Yds. of land were cultivated with this crop. The assessment on the area was Rs. 3453-2- the produce during the Year was 34453-16. lbs. Tolals

3. The following statement will shew the names of the Talukis in which this crop was grown, together with the Extent of land assessment and produce.

Bangalore District.

	Area. Acres			Rate per acre From			To			Amount.			Produce	
				Rs.	As	P.	Rs	as	P.	Rs.	As	P.	lbs	lbs
1. Hoskoté	46	12	"	4	13	6	17	7	"	708	11	2	20,265	20
2. Devanhalli	66	8	58	2	13	6	13	3	6	767	"	1	9696	"
3. Doddaballapoor	5	4	"	8	7	"	9	1	4	45	3	6	2133	24
4. Anékal	1	5	1	4	13	6	8	13	9	9	5	7	3	6
Total	118	29	59							1530	4	4	32098	1
Kolar District														
1. Sidlaghutta	68	5	118½	3	"	4	32	12	2	863	5	3	927	2
2. Chickaballapoor	112	36	64	3	4	5	16	5	4	999	"	7	1415	1
3. Malur	6	16	24	5	"	8	9	10	10	60	8	"	12	6
Total	187	18	85½							1922	13	10	2355	

4. In the other Talukis of the Division, Ragy is not cultivated.

From the Statistical Return received from the Kadur District, for the year 1874/75, it would appear that 5 acres of land were cultivated with this crop. The

produce and assessment are not given, and information regarding these particulars has been called for. In the Ashtagram Dn and the other districts of the Nagar Dn, this crop is not grown.

5. An advalorem Excise duty of 20 per cent is levied on all opium produced in or exported into the Province, vide Notification dated 16th December 1871, Enclosed in Docket No 4683/89 to the Supdt of the Nandidroog division.

6. The foregoing paras give a brief account of the Extent and assessment of the land under poppy cultivation, its assessment the quantity of opium yield and the duty realized by Govt both on the drug grown and the exported

drug. The rules for the vend of opium are contained in the form of license sanctioned and circulated in the Chief Commr's Proceedings No. 5070/34 of 12th October 1874.

7. In paras 849 of the Chief Commr's circular order No. 3700/Rev: 25 dated 18th August 1874, it was ruled that the cultivation of poppy should be confined to the Talukas noted in the margin, and carried on under Special licenses which should be issued for the purpose. There is hardly much difference between the provisions of the new Bill and the instructions already issued for the growth of Poppy and vend of Opium. The duty

Devanhalli Bay Tax
Chickballapur Tax } Kolar D
Doddaballapur Tax

for 1874/75
Excise Brown-Rs. 2978-
Imported — Rs. 451.
Total 3429.

8. The Bill when passed may be introduced into Mysore, & the existing rules may, with reference to the peculiar circumstances of each case, be modified and repassed under Section 4 of the Bill.

9. The Bill was published in the Mysore Gazette of the 2nd October 1875 and 3 subsequent issues with its translation in Kanarese.

M Gordon
7/12/76

The Govt of India has merely asked for an opinion on the Bill - and the reference by them will not unnecessarily delay.

There might be some little difficulty in the Bill when it comes to working in the Malnad districts where ploughs are used & cultivation of paddy in the Province - & the level of the Act when passed being extended to it - The Subsidiary Rule

* In the Canara or Coorg Govt.

8/12 M. Gordon 15/12

Drafted 17/12

(12 Rs)

Telegram from Under Secretary
Government Madras to Secretary
Government of India, Revenue
Department dated the 22nd February
Opium Cultivation & Manufacture
in Bijapur District.

In Bijapur District which was
then under Deccan Canals Division
Bombay & Superintendent Dep't in charge of the
Cultivation of the Opium Act
as extended to India in the
Year of Land 1877, there is nothing
in the Act which confers
upon the Magistrate in charge
of a District the power to
forbid Cultivation of Opium. The provisions
contained in the Act are permissive
But the Rules framed under
Sect 8, in accordance with
those issued by the N.W. Prov.
& Oudh be submitted as
directed, provided for an
Opium Agency, such as is quite
unsuited to the circumstances
of the Province -
The Cultivation of the Poppy has
always decreased according
to Returns received, but
a good deal to be apprehended

opium objectionable, -
manufacture may
properly be prohibited.
Alteration and amend
ment extremely
small - Extension
Act to Provinces
if really necessary.

BG

13/6.

Copy
Draft
Telegram
sin. pub. 18/6/78.
Return to Draft
13/6

Returned with
Copy telegram.
Steedman
14/6/78

Referred to the
Legislative Office.
Instructions

№ 495.

(12) (16)

Letter No. 4082 of the 31st October 1877 from the Govt of India.

In the marginally noted letter, the Govt of India forwarded for opinion a bill to amend the law relating to opium and requested that it might be published in the Mysore Gazette. The bill was accordingly published and a reply was sent to the Govt of India to the Effect that there was nothing in the Bill which would conflict with the Existing Rule and practice in regard to the cultivation and vend of opium in the Province in the event of the Act when passed being Etended to it.

2. The Govt of India

No. 500 dt/13.9.75

X No. 5174/62 dt 23.9.75 to compiler, Mysore Gazette.

⊗ No. 7836/6 dt 18.1.77

No. 158 dt 31.7.76

the provisions of the Opium Bill in its second stage (no II).

In reply, it was observed by the Chief Commr. that though the former bill relating to Opium was published in the Mysore Gazette, the Acts and Regulations specified in the Schedule of the Bill (no II) as to be repealed by it were not in force in this Province, while the Act when passed would have no operation out of British India and that it was inexpedient to publish the bill in the Mysore Gazette.

no. 4653/3 of 5.

3. The Govt of India drew attention to Sec 8 of the Opium Bill, and requested that in anticipation of the bill being shortly passed, rules on the various matters referred to in that section might be framed and submitted for sanction of the

no. 2465 of 31.8.77

Governor General in Council
It was in reply ~~observed~~
observed by the Chief Commr.
that if, as recommended
in this Office letter No. 465/3
of the 5th August 1876, it
is not intended that the
provisions of the Act in
question should be intro-
duced in this Province, the
submission of the Rules
referred to will be
unnecessary. The Govt.
of India now say that
Extension to Mysore of
the Opium Act of 1876 is
contemplated, and request
the submission of draft
rules on the various matters
referred to in Sec. 8 of the
Act for sanction. They have
also forwarded a revised
copy of the draft Rules
for the N. W. Provinces in
the hope that they may
of assistance in preparing
rules for Mysore.

No. 6058 dt. 20.9.76

No. 4082 dt. 31.10.77

I submit herewith
4 draft rules which of

13

approved may be
refused & the Govt
& Remedy do
for any observations
he may make
to offer —

5 Opium is at
present cultivated as
in 3 Districts as
shown below: —

	1875/76 Extent Cult.	Rev.	1876/77 Extent Rev.
Nampalan Dr.	60 acres		37.
Kolan "	111 "	316 Rs	12
Kadan "	5 "		"

In as a rule
Extent of land is
cultivated I have
omitted Kadan from
the Operation of the Rules.

6. The Revenue Board
have drawn attention to
Land and expressed a wish
in 1875/76 Rs 1558
Rs 366 - Cess

Income Rs 49

Memo in continuation of No. 495 dated 11th January 1878

7. As directed in the foregoing Memo. the Draft Rules referred to were forwarded to the Commissioner of Rawalpindee for any observations he might wish to offer, with this Office Proceedings No 9008 & 95 of the 17th instant

8. The Commissioner in returning the same, observes that these Rules appear to contemplate the establishment of an opium Agency in the Province, on the model of those which exist in Provinces where poppy is cultivated under direct Govt Agency and the produce is treated as a monopoly of the State - the Govt of India have in contemplation to create

No 222 R D 28-1-78.

similar institution in this Province, it is, the Commissioners, probable that they are not acquainted with the considerations which appear to render the act wholly inapplicable to Mysore.

5. The Commissioner appends as per margin a statement shewing the acreage under poppy cultivation in the only two Districts of the Hundiwang Division where it prevails to any appreciable extent and from this, it will be seen that the area cultivated has steadily diminished from 576 acres in 1872-73 to 48 acres in all, in 1876-77. The Commissioner is not aware of the extent to which the cultivation prevails in the other Divisions but believes it to be insignificant.

6. The establishment of a Govt. agency to license the

Years	Bangalore District				Tumkur District				Total	
	Kasbah		Extent		Kasbah		Extent			
	Nos.	Persons	Nos.	Persons	Nos.	Persons	Nos.	Persons	Nos.	Persons
1872-73	35	63	194	376	24	44	382	755	826	1819
1873-74	24	52	108	226	4	8	22	45	58	126
1874-75	11	23	55	130	4	4	18	34	59	130
1875-76	5	12	28	65	4	4	11	20	33	77
1876-77	3	7	6	14	2	2	2	4	8	18

Years	Hundiwang Division				Total	
	Kasbah		Extent			
	Nos.	Persons	Nos.	Persons	Nos.	Persons
1872-73	210	424	2010	4048	2236	4867
1873-74	266	537	2320	4670	2378	5808
1874-75	187	385	1622	3264	1709	3649
1875-76	110	222	1091	2194	1148	2416
1876-77	48	97	740	1487	788	1584
	1	2	10	20	11	22
	5	10	102	205	107	215
	8	16	170	342	178	358
	21	42	558	1123	579	1165
	22	44	576	1159	598	1203
	2	4	48	96	50	100
	2	4	36	72	38	76
	2	4	34	68	36	72
	2	4	29	58	31	62
	2	4	23	46	25	50
	1	2	6	12	7	14

the province would, in the Commrs opinion, be needless -

Major Clarke also expresses a hope that no measure may be introduced into this province which would serve to encourage the extended growth of opium, or associate the Administration in its profits by the establishment of a Govt monopoly.

11 The opium Act alluded to in para 4 viz Act XXIII of 1876 has been repealed by Act No I of 1878 which is almost similar in its provisions to the former Act. There I think much for in what is urged by Major Clarke and I have already pointed out, in para 5 above, that Opium is cultivated to a small extent

17

only in the Hampshire
Hounds and
that in the Vadura
only 5 acres have
been taken up
for this purpose
12 I think the
Govt of India might
be asked to reconsider
their intention of
introducing the Spring
Act into Mysore sub-
-mitting a copy of
the Municipal Corpn
Letter

R. Thumboo Chetty
1/4/78

Pending correspondence

Ch. Comm 2-2-78

Approved - but as the
same have proved the
proposed draft Rules &
Notification should be
re-published with their
orders, how [illegible] letter
[illegible] recommend the introduction of the
Spring Act into Mysore or give any
opinion as to the [illegible]

Memo in continuation of No. 530 dy 1/2/78.

13. The Govt of India was addressed in the terms set forth above and a Sch of draft ~~of Draft~~ Rules also forwarded with the office letter No $\frac{1036}{54}$ dy 22nd February 1878.

14. In reply the Govt of India telegraphed as follows:- "Your letter dated 22nd February 1878 about opium Rules. do you concur with Mr Saunders in his proposal to abolish opium cultivation and manufacture entirely within Mysore

dy 8-6-78.

15 Replied as below:-

Your telegram dy 8th instant Chief Commr considers prohibition of cultivation of opium objectionable

dy 13-6-78.

manufacture may properly be prohibited - Cultivation and manufacture extremely small - Extension of Act to Province not really necessary

In their present Telegram the Govt of India Foreign Dept desires that the Chief Comm's views on the subject may be explained to the Financial Dept in detail by letter.

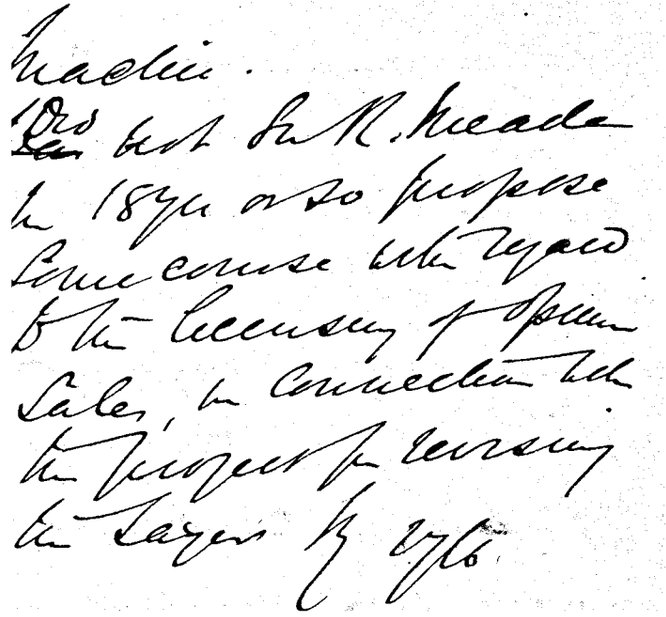
Dy 24-6-78.

Inst[t] /.. orders

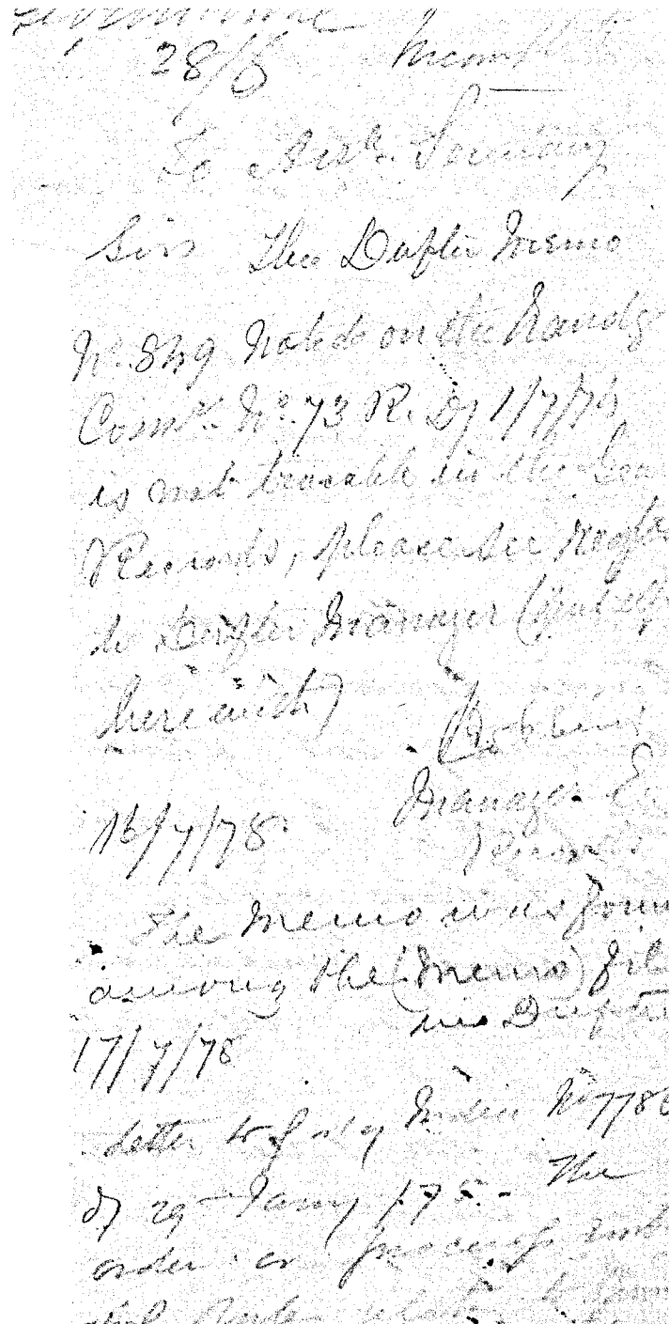
C.P. Thornton Lt Col

27/6/78

In Mde Question should I take order with In Hd Quarters Bo, In Aden any Contacts Persian Gulf with ref to Mr Ross's appt be Ord, and arrangt been made, or one order should be made, & upon reasons in Sale of Opium



Madrid.
Des bat sur le Rhead
le 18 juin a 10 heures
Conc. comme elle legard
de la Licence pour Spain
Sales, la Connecticut
la Virginia pour Licence
la Cargaison 4 276.



28/5 Recomf
Le Capt. Lawrence
Sir The Dafin Bremo
No. 849 Noted on the Records
Comm. No. 73 R. by 1/2 pr.
is onst. bracelet in the Cus
Records, place of Regist
de Burger Brönger (Burger
Here with
Robbins
Brönger &
Pilot
16/7/78 Sir Bremo in pour
arriving the (Bremo) Sir
his Depart
17/7/78
Letter by Brig Bremo No 7786
of 29 Jany 79 - The
order or proceeds and

19

17 In August 1876 the Comr. of Nundidroog Dn. proposed to lease to a Contractor the right of vending Ganja & opium in the Tumkur Dt; but the proposal was disapproved and the Comr was requested to introduce the license system indented in the order of 22 Oct/74 No 531, Please see dustoor 18 Inams No 430 of 1876 — orders thereon, also printed Cir — No 5845 of 15 Sept/76 R 102 annexed to this Inams

18. In renewing the Toddy Contract in favor of Mullappah Shetty for from 1 Feb/78 another three years, the Ganja Contract was excepted, but to enable the Comr. to introduce the license system referred to above, Mullappah Shetty was allowed to have the monopoly of the sale till 1 Oct next. Please see Order No 10014/106 D 15th Feb/78 —

16 In 1875 certain
returns in the
Lower duties were
ordered, and in
para 8 of the offi
letter to India No 7786
154R
of 29th Jany 1875, it
was reported that
the cultivation of
poppy in Mysore
was limited to
an area of about
600 acres and
was not likely
to increase, and
that Sir R Meade
was not disposed
to propose any
change in the
existing duty on
opium.

In connection

with the revision
of the Sayer duties
Sir R Meade
drafted certain
Rules in regard
to opium cultivation
& duty - This draft
(of which a
copy is annexed
to this Memo) will
be found. Attached
with Govt of India
letter No 87 R 0710
April 1875.

21 The Rules provide
for —

I an annual Return
being kept of all
opium holdings in
each Taluk or in
each Hobli where
the aggregate extent
exceeds 500 acres

II Separate Rates

being granted for lands taken up for opium Cultivation.

III The duty of 20 ℔ ad valorem being levied from the growers when the crop is gathered

IV All imported opium being subjected to the same rate of duty —

22. The Rules referred to above were not brought into force from 1 April 1875 as intended by us & we have not been able to find out any orders for postponing their introduction.

23. From the Statement appended

23

in the margin it will be seen that the amount of revenue derived from Ganja in 1867/68 was Rs 14757-14-0 From 1868/69 there was a falling off - since 1873/74 the average revenue per annum was abt Rs 10000.

24 The extent of Poppy cultivation which is chiefly carried on in the Hanpatna & Khandutta was in 1871/72 about 900 acres and since there has been a gradual decrease, and in 1876/77 the extent was only about 49 acres —

C.P. Thumboo Chy
24/7/78

Poppy

No.	Year	Amount of Ganja Contract.	Extent of land Cultivated.	Rate per acre From	Rate per acre To	Assessment	Cagr. duty on Opium @ 20 per cent.
		Rs a p	No information furnished in this office.				
1	1867-68	14,757 14 "	316	4 9	31 12 2	4721 1 -	321 - 3
2	1868-69	9090 8 "	546	3 " 4	31 12 2	3959 14 4	693 5 3
3	1869-70	8214 " "	512	11 8	32 12 2	3979 2 2	569 2 4
4	1870-71	9046 " "	306	3 " 4	32 12 2	3453 2 2	342 9 3
5	1871-72	9687 8 "	170	2 13 6	30 14 2	1358 13 8	193 4 "
6	1872-73	9514 " "	40	3 5 "	33 12 3	366 2 11	166 12 10
7	1873-74	10,296 2 8					
8	1874-75	9000 10 8					
9	1875-76	11,344 11 4					
10	1876-77	11,240 2 4					

9 Sept

The subject has appeared in a bulletin under the Ganja Law & Mr. Reade does not at present anticipate any change.

Mr Hooper answered by Mr Saunders/Kedah CC No 9 of 15 Sept/76 that opium cannot be grown in Kedah

proposed & superseded
by the R Decree dated
of 22 Oct/74 under which
the retail sale of
opium is regulated by the licensing
system.
There recently has been
a demand that has been
made to introduce
the new system in
this District.
Since the date of the
Report of Mr Abraham
Gazette 1 of 29 Jan/75,
the cultivation of opium has
contracted from 600 acres
to 50 acres - comprised
in 3 Districts -
The Revenue derived from
the ad valorem duty / the Export
Contractor / has also fallen
off greatly and there can
no doubt that opium is
introduced & smuggled
into the Province
which pays no duty. I have
heard the views of those
who are in a position to know
& believe too that there is
more opium cultivated
in "backyards" / as they are
called / - i.e. the plots of
land cultivating of several
acres often, which are attached
to private houses & furnished
for private consumption
& the cultivation of which
cannot be prevented
by the Police -
The Chief Inspector of Excise
& Customs - has suggested
that the Province
of Sofala should be
declared a District
for the cultivation of opium
& manufacture of
Chandoo - & that
the cultivation be confined
to the Province already
named - & that
the Export of opium
from other Districts
be prohibited -
I think the system of
licensing retail shops &
private persons, as sketched
in the Order of 22 Oct/74
as regards Sofala, maintaining
the Contract system so far
as relates to the monopoly
of the right to import and
sell & the Retail Vendors
& the Contract may / with
Districts -
There are however 2 points
to decide
1/ Whether the duty of
30 per cent ad Valorem
on Chandoo & Cocoa
under the system - Gov
L. C. of 1874 / 1 /

25 to the Retail vendors
not fixed

2/ Like to have practical
knowledge in new
system in the Bangalore
District - I.S in Bangalore
City. From the Order of
15 Sept 76, there was power
evidently for keeping there
such old and practical,
but I have lost recollection
of what they were -
I like to have ~~Head Duty~~ Duties
I report on these points
to Duties 6/7 [illegible]

25 I think the present
duty of 20 Rs on opium
is high enough. The price
of opium varies in each
Taluk according to demand
Please see Statet A
herewith submitted

26 In Devanhalli, Kola
Devarayapura, Gudibanda
Sidlaghatta, Chikballapur
Malur, Hoskote the
prices ranged between 3/2
& 4/4 Rs per seer - In Ramg
Hoskote, Doddballa, Nela
mangala, Kankenhalli,
Closepett, Anekal, Bhimas
Tumkur, Kodagere, Kunig

[illegible]

- koppal, Gadag and Hubli the rates were so high as between 7 3/4 to 10 Rs - retail
27. I think the selling rates may be fixed as follows:-

At Head Quarters Distts @ 10 Rs per seer
do of Talukas @ 8/- do
Other places @ 6/ do

28. Under Act 21/56, which is now in force in Mysore, none but a licensed Vendor can have in his possession a greater quantity of opium than 5 tolas weight (Vide S. II, pge 179 Rev Manual). Certain exceptions are allowed in favour of cultivators, travellers &c vide S 62.

29. Under S. 34 opium has to be supplied to licensed vendors from Govt stores - In S 7 of the new Act I of 1857 provision is made for the establishment of warehouses for opium - I think warehouses may be established at Head Qrs of each Taluk under the supervision and

control of Auctions – the
cyot who manufactures
opium will pass it
on to the Govt Ware-
house, when the
duty @ 20 ℔ ct will
be levied from the
cyot or purchaser,
and the removal
of such opium for sale
or exportation will be
permitted only under a licence.
30. In addition to the
duty @ 20 ℔ ct. on opium
I think no other fee need
be levied, but the
retail shops for the
sale of opium may
be put up to auction
annually fixing the
selling prices at
the rate suggested in
para 27 above if ap-
proved. Thus Govt.
will have a strict
control over the manufacture
and disposal of opium.
If the shops are given
out to a Contractor, it
will be to his interest
to see that there is
an increase in manufacture
as well as consumption
of opium – whereas if
the shops are let out this will be

prevented to some extent by Govt regulating the prices from time to time and putting up the shops annually by public auction so as not to become the monopoly of one person or a single Contractor ——

31. Ganja is consumed largely only in Bangalore Mysore, and they request that the rules relating to Opium be made applicable also to Ganja -

32 Opium smuggling exists wherever there is poppy cultivation and

In the Dep Commr Cutcherry determining the localities where shops to retail ganja are not opened - This is being done in the Bangalore Dist, as there is Excise Office, & opened under their Officers

Vide see Statement No II

29

unless the granted
manufactured
received in a fair
warehouse and de-
livered Sale regulated
by street inspection
illicit dealing cannot
be checked —

Ed Thumbody
9/8/75

I can personally, but
believe of bartenders
& very Salubl, I think
it will happen to
be one of the first
place Duluth - In
Many cases the
have made Selling
inspection which
the Sales are so small
as they are, & respectable
bartenders & others
for cash Salubl cannot
be kept away. All
persons of large
interests will be
Duluth will take
part & the bartenders
& appears, then

† bartenders in order
& communicate & the
Council to ~~operate~~
adopt in some, for as to
& the terms of the Liquor
Contract annul of the
Change —
Probably a small selection
will be to Sanction
at One Dollar & V., but the
Council will appt & the
of Liquor by W.S.

Before ~~this~~ I will
discuss this matter
with the Society.

HBG
10/8

Issue an order to the Commrs as proposed. — one warehouse at Delhi & offices will I think suffice — at least this may be tried —

Reply by letter to Govt of India Finl Dept, regarding my telegram, as verbally explained.

Let me see Draft.

BL
14/8

33. In this office letter to the Govt. of India, No 401 of the 21st August last, it was observed that the area of land under Opium cultivation had steadily decreased from 717 acres in 1871/72 to about 49 acres in 1876/77, which was due to the inferior quality of the ~~beer~~ locally grown poppy, and to its inability to compete with the article manufactured in Central and Northern India; that the Chiefs would be most unwilling to adopt any measures that would help to stimulate the cultivation of the plant, and though he could not advocate Mr Lamonts proposal to prohibit such cultivation altogether, he entertained no doubt

that if no restrictions are placed on the importation of the pure commodity from outside, the cultivation would remain as limited as it at present, being confined probably to the growth of the plant in back yards or in small garden patches, to such extent as it is needed for medicinal uses; that the Chf Commr had no information as to the extent to wh Opium is manufactured locally, if at all, that he considered that assuming that no real necessity exists for the manufacture locally of opium or the drugs of which it is composed, when the imported article is available for medicinal use

3"
use, a prohibition might
be placed on its manu-
facture altogether. On
the subject of the adoption
of the provisions of the
Opium Act, it was
stated that Mr. Gordon
had under consideration
the introduction of measures
for regulating the impor-
tation and sale of
in Mysore
Opium, the object being
to place the retail vend
of the article under
closer supervision than
now exists, and that the
result would be duly
reported to the Govt. of
India. At the same
time, the Chairman
greatly deprecated, for
the reasons stated in
this Office letter No. 10306/54
of the 22nd Febry last,

an elaborate and

Expensive Opium
dept. or Agency (for wh
there seems to be no need
whatever) such as is
contemplated in the
Draft Rules prepared
under the Express in-
structions of the Govt
of India and forwarded
with the letter above
quoted.

34. With reference to
the above, the Govt of
No 89 R. of 19.10.78 India request that the
nature of the Chiefs'
objections against prohi-
biting cultivation of Popp
may be set forth rather
more in detail. If it
is meant that to en-
force such a prohi-
bition, an inquisitive
Excise Estab. would be
needed, the Govt of Inde
Enquire whether the
prohibi

35 prohibition of manu-
facture, wh has the
Chairman's assent,
would not equally
require such an
Estabt. The Govt of India
attach great importance
to the repression of the
growth of the Poppy in
Mysore, and they have
doubts whether suppression
would not be easier
to carry out, and less
inconvenient both to
the Administration and
to the people, than repres-
sion within certain
narrow limits. They
observe that if restric-
tions are placed, as
the remarks in the 5th
para of this Office letter
have referred to, would
seem to indicate, on
import, cultivation

will immediately spread, and if cultivation be permitted, it will be difficult to prevent surreptitious manufacture, tho' possibly the Chf Commr's view is that the superior manipulation of the drug required for the Export trade can be stopped. Yet considerable quantities of Opium are likely to be smuggled for local consumption into Madras. Upon these considerations, the Govt of India request to know whether the Chf Commr could not arrange to prohibit open field cultivation, provided that a few patches in gardens

3/ would not be noticed.

35 As Cotton cultivation is carried on to a very small extent in this Province, and that too in addition to other crops raised on the same land, I think there will be no great hardship if the cultivation is absolutely prohibited —

E. Thumboo
4/11/78

No II

Statement shewing the Revenue derived from gauges in the Province of Imposi

District	District or Talook	Years 1867-68	1868-69	1869-70	1870-71	1871-72	1872-73	1873-74	1874-75	1875-76	1876-77	Total
	Bangalore Distt.	12488 14	6500	5500	6000	6000	6000	6666 10	6666 10	6666 10	6666 10	
	Kolar Distt.	"	"	500	500	500	500	500	500	500	500	
	Tumkur Distt.	"	"	"	"	"	"	"	"	"	"	
	Mysore Distt.	1000	1000	1000	1000	1000	1000	1000	1000	2358 8	2600 8	
	Hassan Distt.	500	500	500	500	500	500	500	500	300	300	
	Kadur Distt.	45	82	45	190	270	75	205	260	318	230	
Shimoga Distt.	Shimoga Talk	130 "	140	120	171	220	251	275	300	218	247	
	Chinnagerry Talk	16	17	1	5	19	1	6	10	"	"	
	Honnaly Talk	7	6 8	4	14	10	18	25	28	"	"	
	Shikarpur Talk	201	208	160	100	205	165	165	90	139 8	183 8	
	Tirthahalli Talk	43	101	25	38	71	58	59	61	"	"	
	Sorab Talk	213	227	250	225	265	232	300	185	201 8	256 11	
	Sagara Talk	27	30	36	161	262	260	270	230	172 8	190 12	
	Nagara Talk	6	5	3	3	1	10	10	10	"	"	
	Kavaladourga Talk	10	6	2	2	10	11 8	20	12	1	"	
		653	740 8	601	716	1063	1006 8	1130	906	795 8	827 15	
Chickballapur Distt.	Chickballapur Talk	"	"	"	"	15	10	26	15	70	"	
	Davanagere Talk	"	"	"	"	100	301	101	50	160	115	
	Kanakeppa Talk	"	"	"	"	10	12 8	9	3	"	"	
	Molakalmur Talk	"	"	"	"	15	18	8	7	"	"	
	Doddery Talk	"	"	"	"	20	"	10	5	"	"	
	Hesirur Talk	"	"	"	"	17 8	"	7	2	"	"	
	Boodibal Talk	"	"	"	"	10	"	2	2	"	"	
	Chitradurga Talk	65	268	68	140	135	74	75	65	"	"	
	Hosadurga Talk	"	"	"	"	11	"	11	5	"	"	
	Davangere Talk	"	"	"	"	21	17	5	2	"	"	
		65	268	68	140	354 8	432 8	254	156	230	115	

No. 7

Statement shewing
the Revenue derived
from Ganjam from
the years 1867-68 to
1876-77

8(cc)

Precis of Correspondence relating to the Prohibition of Poppy cultivation in Mysore — — —

In their ~~no~~ letter no 500 dated the 13th September 1875, the Govt of India forwarded for opinion a bill to amend the law relating to opium, and requested that it might be published in the Mysore Gazette. The bill was accordingly published,* & a reply⊛ was sent to the Govt of India to the effect that there was nothing in the Bill which would conflict with the existing rules and practice in regard to the cultivation & vend of opium in the Mysore Province, in the event of the Act, when passed, being extended to it.

2. The Government of Bombay

* no $\frac{5174}{62}$ dy 23.9.77 to Compiler, Mysore Gazette.

⊛ no $\frac{7836}{6}$ dy 18.1.77

11

in the Dts of Bangalore
Kolar, where also the
cultivation was small
decreasing, it was
Cr. Mr. Saunders's
~~the Chairman~~ view
that rather than intro
ducing the Opium Act
into Mysore or giving
special encouragement
to the manufacture &
sale of opium by appointing
a distinct & expensive
Establishment for controlling
such cultivation & sale,
he would prefer to see the
cultivation of the drug
entirely prohibited within
~~the~~ Province.

~~The~~ Mr Gordon, however,
said on reference from the
Govt of India, that he
considered prohibition
of cultivation of opium
objectionable; that its
manufacture may properly
be prohibited. ~~Ca~~ & that
~~as to~~ as the cultivation
& manufacture of opium
was very small, the e.
tension of the Act wa
not really necessary

Mr Gordon further said in his letter no 4011/19 dated 21st August 1878, that if the import of foreign opium be unrestricted which is greatly superior to the local product, there was little chance of poppy cultivation extending, and that he had under consideration rules for regulating the import & sale of opium in Mysore soas to place the retail vend of the drug under closer supervision.

Upon this the Govt of India enquired whether Mysore could not arrange to prohibit open field cultivation, provided that garden cultivation be unnoticed; & suggested that the suppression of poppy cultivation would be easier & more convenient than the repression of opium manufacture.

The prohibition of poppy cultivation in Mysore

1875

From Secy Govt of India Legislative Dept

To The Offg Chief Comr

Dated 15th Sept 1875

Despatched 16th Sept 1875

Received 20th Sept 1875

SECTION S. R.

FILE No. 1875-76

SERIAL No. 1

ENCLOSURES NO

General No. 578

No.

I am directed to forward for opinion [illegible]
to amend the law relating
to Opium and requests
that the Bill and Statement
may be published in the
Supreme Gazette

To Compile & publish
1 2 3 Nov/75 in Cuttack

21/9

To Deputy Secretary in the
Department of the Board

No. 500

From

Whitley Stokes Esquire,
Secretary to the Government of India,
Legislative Department.

To

Hon'ble R. A. Mayell,
Officiating Chief Commissioner,
Mysore.

Dated Simla, the 13th September 187

Sir,

I am directed to forward herewith a copy of the Bill to amend law relating to Opium, together with its Statement of objects and reasons, and to request that you will favour the Government of India in this Department with an early expression of your opinion on the provisions of the Bill.

2. I am also to request that the Bill and the Statement may be published in the Mysore Gazette in English and such other languages as you may think fit, and that the dates of such publication may be communicated in your reply.

I have the honour to be
Sir,
Your Obedt. Servt.
W. Stokes
Secretary to the Govt. of India

3

Enclosures to 561

STATEMENT OF OBJECTS AND REASONS.

THE poppy is grown extensively in Lower Bengal, the North-Western Provinces, Oudh and Central India, and to some slight extent in the Panjáb, the Central Provinces, Berar and Mysore, and in part of Bombay. Little or no opium is produced in Madras, British Burma or Assam.

The attention of Local Governments and of the Government of India has of late been frequently drawn to the insufficiency of the existing law on the subject.

In the Bengal Presidency, including the North-Western Provinces, Oudh and the Panjáb, the law is clear and satisfactory.

But in some of the more recently formed Administrations, such as the Central Provinces, Assam and British Burma, the applicability of the Bengal law is doubtful, and in Bombay and Madras the law on the subject is altogether defective.

In the Bombay Presidency, the same control is in point of fact exercised as in Bengal for checking the growth of the poppy and the manufacture of opium; but the legal authority for this action is insufficient.

In Madras no check, either legislative or administrative, exists at present on the growth of the poppy or the transport, possession or storage of opium, and practices have resulted injurious alike to the public revenue and to public morality and health.

The Governments of Madras and Bombay have both contemplated supplying these defects by local legislation. But it is considered expedient by one simple and comprehensive Imperial law to ensure that the Imperial revenue derived from opium is nowhere left without adequate protection.

The Bill, as now introduced, will not alter the state of things prevailing in the Bengal Presidency, nor will it involve any alteration of practice inconsistent with the system of export duty in force in Western India. The control exercised by the State in Bengal and Northern India, is equally necessary whichever system prevails. The power which Government by law possesses in the Bengal Presidency will now be extended to all parts of India,—doubts, where they exist, will be removed,—and the needed legislation will be provided for Madras and Bombay.

SIMLA,
The 23rd August 1875.

W. MUIR.

Government of India.

LEGISLATIVE DEPARTMENT.

Annexure

TO

ll to amend the law relating to Opium.

Statement of Objects and Reasons.

Price one anna.

Govt. Central Branch Press, Simla,—13-9-75.—60 copies.

A

BILL

TO

Amend the law relating to Opium.

WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows:— Preamble.

Short title. **1.** This Act may be called "The Indian Opium Act, 1875:"

Local extent. It extends to the whole of British India;

Commencement. And it shall come into force as follows:—

(*a*). In the Provinces respectively subject to the Governors in Council of Fort Saint George and Bombay, at once:

(*b*). In each of the other Provinces of British India, on such day as the Governor General in Council, by notification in the *Gazette of India*, directs in that behalf.

Repeal of Bombay Regulation XXI of 1827, secs. 8 to 16. **2.** Sections eight to sixteen (both inclusive) of Bombay Regulation XXI of 1827, are hereby repealed.

XIII of 1857, s. 2.

Prohibition of poppy cultivation and possession, &c., of opium. **3.** Unless in accordance with rules framed under this Act or with any enactment for the time being in force, no one shall—

(*a*) cultivate the poppy or manufacture opium;

(*b*) possess any quantity of opium exceeding five tolahs in weight;

(*c*) transport opium from one place to another; or

(*d*) sell opium or preparations or admixtures of opium.

Local Government may make rules. **4.** The Local Government may make rules to regulate, within the whole or any part of the territories subject to such Government, all or any of the following matters:—

(*a*) the cultivation of the poppy;

(*b*) the possession of any quantity of opium exceeding five tolahs in weight;

XXI of 1856, s. 28.

(*c*) the transport of opium; and

(*d*) the sale of opium and of preparations and admixtures of opium.

The Local Government may from time to time alter and add to such rules.

Such rules, alterations and additions shall be submitted for the sanction of the Governor General in Council, and on receiving such sanction, shall be published in the local official *Gazette*, and shall thereupon have the force of law.

5. Whoever cultivates the poppy in contravention of rules made and published under section four, or before such rules are made and published as aforesaid, shall, on conviction before a Magistrate, be punished with fine which may extend to one thousand rupees, and, in default of payment of such fine, with imprisonment for a term which may extend to six months;

Penalty for illegal cultivation of poppy.

and the poppy so cultivated, and the opium (if any) produced therefrom, may be confiscated by the convicting Magistrate.

XIII of 1857, s. 21, which is fuller.

6. Whoever, not being authorized in this behalf under rules made and published under this Act, or before such rules are so made and published, has in his possession a greater quantity of opium than five tolahs weight,

For having in possession unlawful quantity of opium;

and whoever transports opium in contravention of rules so made and published, or before such rules are so made and published,

for unlawfully transporting opium.

shall for every such offence be punished with fine which may extend to one thousand rupees, and, in default of payment of such fine, with imprisonment for a term which may extend to six months:

Provided that if the opium in respect of which such offence is committed exceeds the weight of twenty sers, the fine may be increased at a rate not exceeding fifty rupees the ser for all the opium so found in excess.

XXI of 1856, ss. 51, 52.

On any conviction under this section, the opium, together with the vessels, packages and coverings in which it is found, and the animals and conveyances used in carrying it, may be confiscated by the convicting Magistrate.

XXI of 1856, ss. 51, 52.

7. Whoever sells opium in contravention of rules so made and published, or before such rules are so made and published, shall for every such offence be punished with fine which may extend to one thousand rupees, and, in default of payment of such fine, with imprisonment for a term which may extend to six months.

XXI of 1856, ss. 28, 34.

For unlawful sale of opium.

Government of India

LEGISLATIVE DEPARTME

A

BILL

TO

mend the law relating to Opiu

(*Sir W. Muir.*)

(*Price annas.*)

Govt. Central Press, Simla.—13-9-73—60 copies

SECTION S.R

FILE NO. 1875-76.

SERIAL NO. 2

To. The Compiler, Mysore Gazette

No $\frac{5774}{62}$ dt - 23 Sept 1875.

Request for publication of a certain Bill with SL. in three issues of the Mysore Gazette in Canarese & English.

missing

S.
A-19

1876 No. 7836
6 J.

SECTION S.R
FILE No. 1 of 75-76
SERIAL No. 3

To Secy: to the Govt of L.
Legislative Dept
Calcutta.

Dated 18th Janry 1876
Rect 20 — 18th
Ans 30 Draft

No. 7836
No. 6 J.

In replying to
letter No. 500 Dated
13th Sept 1875 forward
opinion with regard
to the Bill to amend
the Law relating to
Opium.

To

The Secretary to the
Govt of Eastern
Legislative Dept.

Sir,

In reply to your letter
No 500 dated 13th Febr 1875
forwarding for opinion
a Bill to amend the Law
relating to Opium,
I am directed by the
Officiating Chief Comr
to state that there is
nothing in the Bill
which would conflict
with the existing rules
and practice in regard
to the cultivation and
sale of opium in
this province, in the

ment of the Act, when
passed, being extended
to it.

2. I am desired further
to state that the Bill
and the Statement of
Objects and Reasons
accompanying it, were,
as requested in para 2
of your letter under reply,
published in English
and in Kanarese,
in three successive
issues of the Mysore
Gazette on the dates
noted in the margin.

Thank &c

Offg Secretary

P.P.
18/11/76

x 2nd October 1875
9th Do
16th Do

916

1876. No. 70

SECTION S. R

FILE No. 1676-76

SERIAL No. 4

From The Government of India
Legislative Dept.

To

The Ch. Commissioner of
Mysore

Dated Simla 21st July 1876.

Despatched

Received 31st July.

Ref.

ENCLOSURES NO.

General No.

No. 494

(4)

For expression of opinion
copy of a bill to amend
the Law relating to
Opium.—

Though the Persian Bill
has been published in the
Gazette, I observe that the
Acts & Regns specified
in the Schedule of the Bill
as to be repealed by it,
are not in force in the
Province which the present
Bill is intended to operate
out of British India.
You might state if India,
and also if needful,
Mysore by 2/8

Approved

2-8-76

Dept Bd
4/8/76.

No. 498

FROM

WHITLEY STOKES, Esq.,

Secretary to the Govt. of India,

Legislative Department,

To

L. B. Saunders Esqre C. B.,
Chief Commissioner of Mysore.

Dated Simla, *the* 21st July 1876

SIR,

I am directed to forward herewith three copies of the Bill and Report noted on the margin, and to request that you will favour the Government of India in this Department, at an early date, with an expression of your opinion on the provisions of the Bill in its second stage.

Bill (No. II) to amend the law relating to Jurors.
Report of the Select Committee on the above Bill

2. I am also to request that the Bill and Report be published in the Mysore *Gazette*, in English and such other languages as you may think fit, and that the dates of such publication may be communicated in your reply.

I have the honour to be,

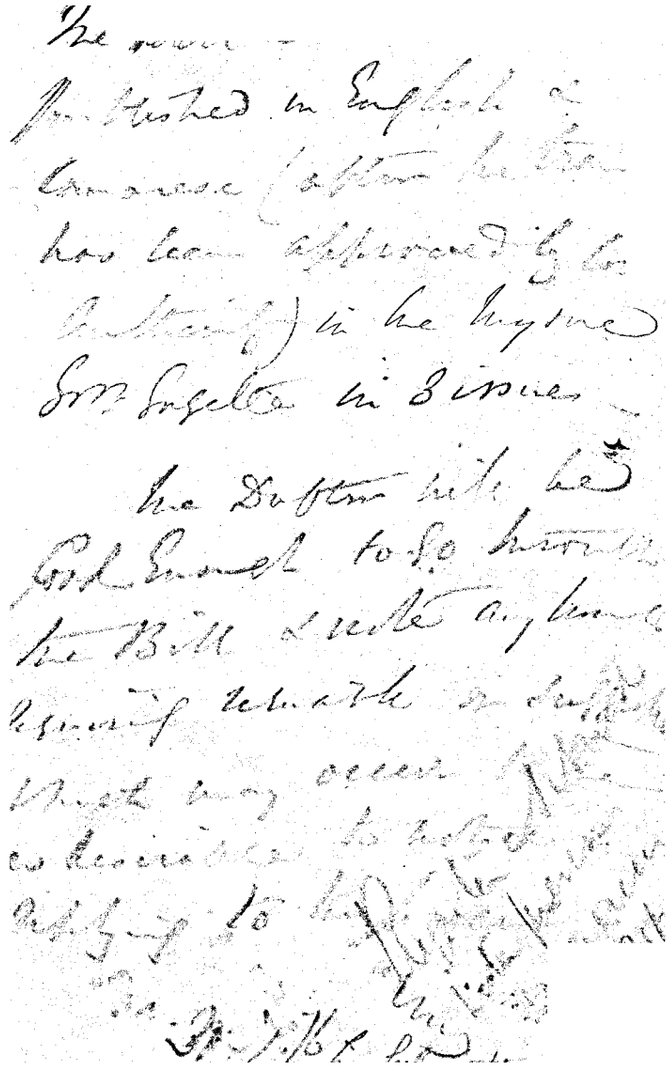
SIR,

Your obedient Servant,

W Stokes

Secretary to the Govt. of India.

Government Central Branch Press, Simla.—19-7-76.



B S L 4

THE OPIUM BILL, 1876.

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PREAMBLE.

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   Local extent.
   Commencement.
2. Repeal of enactments.
   Amendment of Act No. VII of 1836, s. 1.
3. Interpretation-clause.
4. Import of opium.
5. Export of opium.
6. Customs laws applied to opium.
7. Warehousing opium.
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9. Prohibition of poppy-cultivation and possession, &c., of opium.
10. Penalty for illegal cultivation of poppy, &c.
11. Presumption as to opium.
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13. Order of confiscation by whom to be made.
14. Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.
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17. Officers to assist each other.
18. Vexatious entries, searches, seizures and arrests.
19. Issue of warrants.
20. Disposal of person arrested or thing seized.
21. Report of arrests and seizures.
22. Procedure in case of illegal poppy-cultivation.
23. Recovery of arrears of taxes and opium-revenue.

SCHEDULE.

No. II.

A

BILL

TO

Amend the law relating to Opium.

Preamble.

WHEREAS it is expedient to amend the law relating to opium; It is hereby enacted as follows:—

Short title.

1. This Act may be called "The Opium Act, 1876":

Local extent.

It extends to the whole of British India;

Commencement.

And it shall come into force on the first day of January 1877.

Repeal of enactments.

2. The enactments mentioned in the schedule hereto annexed shall be repealed to the extent specified in the third column of the said schedule. And in Acts No. XI of 1849, No. XXI of 1856 and No. X of 1871 the words "intoxicating drugs" (wherever they occur) shall not include opium.

Amendment of Act VII of 1836, s. 1.

The reference made to Bombay Regulations XXI of 1827 and XX of 1830 in Act No. VII of 1836 shall be read as if made to the corresponding sections of this Act.

Interpretation-clause.

3. In this Act, unless there be something repugnant in the subject or context—

Acts X, 1871, s. 3, and XXVI, 1872, s. 2.

"Opium."

"Opium" includes also poppy-heads, preparations or admixtures of opium, and intoxicating drugs prepared from the poppy:

"Magistrate."

"Magistrate" means in the Presidency towns a Magistrate of Police or a Presidency Magistrate, and elsewhere a Magistrate of the first class.

Import of opium.

4. No opium shall be imported, by land or by sea, into any part of British India unless—

Bom. Reg. XX, 1830, s. 2.

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or a Local Government; or

(*b*) it has been imported by sea on payment of the duty prescribed by the Indian Tariff Act, 1875, or any other law for the time being in force relating to the duties of customs on goods imported by sea into British India; or

(*c*) such import is permitted under the power next hereinafter conferred.

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the import of opium, or of any kind of opium, by land into any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and Bom. Reg. XXI, 1827, s. 1.

(*e*) cancel such permission.

Export of opium.

5. No opium shall be exported by land or by sea from any part of British India unless— Act XVI, 1875, s. 9.

(*a*) it is covered by a pass granted by an officer appointed in this behalf by the Governor General in Council or the Local Government; or

(*b*) it has been imported by sea into any British Indian port, and the Local Government has permitted it to be exported on payment of a duty equal in amount to the fee to which it would have been liable under any law for the time being in force, if it had been transhipped at such port; or Act VI, 1873, s. 7.

(*c*) such export is permitted under the power next hereinafter conferred:

The Governor General in Council may from time to time, by notification in the *Gazette of India*,

(*d*) permit the export of opium by land or by sea from any specified part of British India on payment of such duty, or on such other terms, as the Governor General in Council thinks fit; and

(*e*) cancel such permission.

Customs laws applied to opium.

6. Subject to the other provisions of this Act, the laws for the time being in force relating to goods imported or exported by sea shall, so far as may be, apply to opium so imported or exported by sea, and the laws for the time being in force relating to goods imported or exported by land shall, so far as may be, apply to opium imported or exported by land. Bom. Reg. XXI, 1827, s. 1. cl. 3.

Warehousing opium.

7. The Governor General in Council may, by order notified in the *Gazette of India*, authorize any Local Government to establish warehouses for opium legally imported into or intended to be exported from the territories subject to such Local Government, and may cancel any such order. Bom. Reg. XXI, 1827, s. 2.

So long as such order remains in force, the Local Government may declare, by notification published in the official Gazette, any place to be a warehouse for all or any opium legally imported, whether before or after the payment of any duty leviable thereon, into the territories subject to such Government, or into any specified part thereof, or intended to be exported thence.

On and after such publication the owner of all such opium shall be bound to deposit it in such warehouse.

Power to make rules as to poppy-cultivation, opium, &c.

8. The Local Government may from time to time make rules consistent with this Act, or with any other enactment relating to opium for the time being in force, to prohibit or permit within the whole or any specified part of the territories subject to such Government, all or any of the following matters:—

(*a*) the cultivation of the poppy;

(*b*) the manufacture of opium;

(*c*) the possession of opium;

(*d*) the transport of opium from one place to an other within British India;

(*e*) the importation or exportation of opium int or out of British India;

(*f*) the sale of opium;

and to regulate within the whole or any specifie part of such territories all or any of the matte aforesaid, and also

Bom. Reg. XXI, 1827, s. 2.

(*g*) the safe custody of opium warehoused un der section seven; the levy of fees for such ware housing; the removal of such opium for sale c exportation; and the manner in which it sha be disposed of, if any duty leviable on it be nc paid within twelve months from the date of ware housing the same;

(*h*) the disposal of all things confiscated und this Act;

(*i*) the rewards to be paid to officers and inform ers out of the proceeds of fines and confisc tions under this Act.

Such rules shall be submitted for the sanctic of the Governor General in Council, and on recei ing such sanction, shall be published in the loc official Gazette, and shall thereupon have the for of law.

Act XIII, 1857, s. 2.
Act XXI, 1856, ss. 28, 33 & 34.
Act X, 1871, ss. 15, 18, 65, 87.
Bom. Reg. XXI, 1827, chaps. II, III & IV.

9. Unless in accordance with this Act or wi any other enactment relati to opium for the time being force, or with rules fram under this Act, no one shall—

Prohibition of poppy-cultivation and possession, &c., of opium.

(*a*) cultivate the poppy;

(*b*) manufacture opium;

(*c*) possess opium;

(*d*) transport opium from one place to anotl within British India;

(*e*) import or export opium into or out of Briti India; or

(*f*) sell opium.

Penalty for illegal cultivation of poppy, &c.

10. Whoever in cont vention of this Act, or rules made and publish under section eight,

Act XIII of 1857, s. 21, which is fuller.

(*a*) cultivates the poppy, or

(*b*) manufactures opium, or

(*c*) possesses opium, or

(*d*) omits to warehouse opium when bound do so under section seven, or

(*e*) transports opium from one place to anotl within British India, or

(*f*) imports or exports opium into or out British India, or

(*g*) sells opium, or otherwise contravenes said rules relating to sales,

shall, on conviction before a Magistrate, be punished for each such offence with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both; Bom. Reg. XXI of 1827, s. 4.

and, where a fine is imposed, the convicting Magistrate shall direct the offender to be imprisoned in default of payment of the fine for a term which may extend to six months, and such imprisonment shall be in excess of any other imprisonment to which he may have been sentenced. Bom. Reg. XXI of 1827, s. 7.

Presumption as to opium.

11. In prosecutions under section ten, it shall be presumed, until the contrary is proved, that all opium for which the accused person is unable to account satisfactorily is opium in respect of which he has committed an offence under this Act. Act III of 1852, s. 12. Act XXVI, 1872, s. 4.

Confiscation of opium.

12. In any case in which an offence under section ten has been committed— Bom. Reg. XXI of 1827, s. 9, cl. 3, s. 10, cls. 3 & 5, s. 15, cl. 2, s. 16, cl. 3. Acts XXI, 1856, & X, 1871.

(*a*) the poppy so cultivated,

(*b*) the opium in respect of which any offence under the same section has been committed,

(*c*) where, in the case of an offence under clause (*e*) or (*f*) of the same section, the offender is transporting, importing or exporting any opium exceeding the quantity (if any) which he is permitted to transport, import or export, as the case may be, the whole of the opium which he is transporting, importing or exporting, Bom. Reg. XXI, 1827, s. 9, and XX of 1830, s. 2.

(*d*) where, in the case of an offence under clause (*g*) of the same section, the offender has in his possession any opium other than the opium in respect of which the offence has been committed, the whole of such other opium, and Bom. Reg. XXI of 1827, ss. 10, 15, 16.

(*e*) the vessels, packages and coverings in which any opium confiscated under the same section is found, and the other contents (if any) of the vessel or package in which such opium may be concealed, and the animals and conveyances used in carrying it, Act XXI of 1856, ss. 51, 52. Act X of 1871, s. 65. Bom. Reg. XXI of 1827, ss. 3 and 8.

shall be liable to confiscation.

Order of confiscation by whom to be made.

13. When the offender is convicted, such confiscation may be ordered by the convicting Magistrate. Act X of 1871, ss. 51, 53, 71.

When an offence against this Act has been committed, but the offender is not known, or cannot be found, or when poppies or opium not in the possession of any person cannot be satisfactorily accounted for, the case shall be enquired into and determined by the Collector of the District or Deputy Commissioner, or by any other officer authorized by the Local Government in this behalf, either personally or in right of his office, who may order such confiscation: Provided that no such order shall be made until the expiration of one month from the date of seizing the things intended to be confiscated or without hearing the persons (if any) claiming any right thereto and the evidence (if any) which they produce in support of their claims.

eg. XXI of 1827, s. 5.
I of 1856, ss. 56-59.
f 1871, ss. 43-46.

Power to enter, arrest and seize, on information that opium is unlawfully kept in any enclosed place.

14. Any officer of any of the departments of Excise, Police, Customs, Salt, Opium or Revenue, superior in rank to a peon or constable, who may in right of his office be authorized by the Local Government in this behalf and who has reason to believe, from personal knowledge or from information given by any person and taken down in writing, that opium liable to confiscation under this Act is manufactured, kept or concealed in any building, vessel or enclosed place, may, between sunrise and sunset,

XI of 1856, s. 66.

(*a*) enter into any such building, vessel or place,

(*b*) in case of resistance, break open any door and remove any other obstacle to such entry,

(*c*) seize such opium and all materials used in the manufacture thereof, and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium, and

(*d*) detain and search, and if he think proper, arrest any person whom he has reason to believe to be guilty of any offence relating to such opium under this or any other law for the time being in force.

Power to seize opium found in open place and arrest possessor.

15. If any officer of any of the said departments find

(*a*) any person in any open place whom he has reason to believe to be carrying any opium, or

(*b*) any person having in any open place any opium in his possession, or

(*c*) any opium in transit,

and such officer has reason to believe that the opium mentioned in clause *a*, clause *b*, or clause *c* of this section is opium in respect of which an offence has been committed, or which is liable to confiscation under this Act or any other law relating to opium for the time being in force,

he may stop and detain such person,

and may seize such opium and any other thing which he has reason to believe to be liable to confiscation under section twelve or any other law for the time being in force relating to opium,

and may arrest such person, if opium be found in his possession, and any other persons in his company.

Searches how made.

16. All searches under section fourteen or section fifteen shall be made in accordance with the provisions of the Code of Criminal Procedure.

XI, 1856, s. 65.
, 1871, s. 51.

Officers to assist each other.

17. The officers of the several departments mentioned in section fourteen shall, upon notice given or request made, be legally bound to assist each other in carrying out the provisions of this Act.

Vexatious entries, searches, seizures and arrests.

18. Any officer of any of the said departments who without reasonable ground of suspicion enters or searches, or causes to be entered or searched any building, vessel or place,

or vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for any opium or other thing liable to confiscation under this Act,

or vexatiously and unnecessarily detains, searches or arrests any person,

shall for every such offence be punished with fine not exceeding five hundred rupees.

Such fine, or any part thereof, may be paid to the person aggrieved.

Act XXI, 1856, ss. 61, (
Act X, 1871, ss. 48, 49.
Bom. Reg. XXI, 1827, cl. 2.

19. The Collector of the District, Deputy Commissioner or other officer authorized by the Local Government in this behalf, either personally or in right of his office, or a Magistrate, may issue his warrant for the arrest of any person whom he has reason to believe to have committed an offence relating to opium, or for the search, whether by day or night, of any house, boat or place in which he has reason to believe opium liable to confiscation to be kept or concealed.

Issue of warrants.

All warrants issued under this section shall be executed in accordance with the provisions of the Code of Criminal Procedure.

Act XXI, 1856, ss. 60 & (
Act X, 1871, ss. 47 & 50.

20. Every person arrested, and thing seized, under section fourteen or section fifteen, shall be forwarded without delay to the officer in charge of the nearest Police station; and every person arrested and thing seized under section nineteen shall be forwarded without delay to the officer by whom the warrant was issued.

Disposal of person arrested or thing seized.

Every officer to whom any person or thing is forwarded under this section shall, with all convenient despatch, take such measures as may be necessary for the disposal according to law of such person or thing.

21. Whenever any officer makes any arrest or seizure under this Act, he shall within forty-eight hours next after such arrest or seizure make a full report of all the particulars of such arrest or seizure to his official superior.

Report of arrests and seizures.

Act XIII, 1857, s. 24.

22. In the case of alleged illegal cultivation of the poppy, the crop shall not be removed, but shall, pending the disposal of the case, be attached by an officer superior in rank to a peon or constable who may in right of his office be authorized by the Local Government in this behalf; and such officer shall require the cultivator to give bail in a reasonable amount (to be fixed by such officer) for his appearance before the Magistrate by whom the case is to be disposed of, and such cultivator shall not be arrested unless within a reasonable time he fails to give such bail:

Procedure in case of illegal poppy-cultivation.

Provided that wherever Act No. XIII of 1857 (*An Act to consolidate and amend the law relating to the cultivation of the Poppy and the manufacture of Opium in the Presidency of Fort William in Bengal*) or any part thereof, is in force, nothing in this Act shall apply to such cultivation and manufacture.

Act XXI, 1856 ss. 42, 84.
Act X, 1871, s. 41.

23. Any arrear of tax, fee or duty due under this Act or under any rule duly made under section eight,

and any arrear due from any farmer of opium-revenue,

may be recovered as if it were an arrear of and-revenue.

Recovery of arrears of taxes and opium-revenue.

SCHEDULE.

ACTS OF THE GOVERNOR GENERAL IN COUNCIL.

Number and year.	Subject.	Extent of repeal.
Act XI of 1849.	Abkárí Revenue of Calcutta	In section 5, the word "opium." In section 6, the word "opium" and the last thirty-one words. In section 15, from and including the words "except in the case" to the end of the section. In section 33, from and including the words "except opium" down to and including the words "each seer"; and the words "or in the case of opium as aforesaid, a reward of one rupee eight annas for each seer."
Act III of 1852.	Spirituous liquors, Bombay...	Section 10, so far as it relates to opium.
Act XXI of 1856.	Bengal Abkárí Act ...	In section 28, the word "opium." Sections 34, 51, 52, 53 and 87. In section 35, the words "or opium." In section 49, the words "except opium." Section 59, so far as it relates to opium. In section 75, the words "except opium" and from and including the words "opium seized" down to

Number and year.	Subject.	Extent of repeal.
		In section 76, from and including the words "except opium" down to and including the words "each seer," and from and including the words "or, in" down to and including the words "each seer." In paragraph 8 of section 90, the words "and opium."
Act XIII of 1857.	Cultivation of the poppy and manufacture of opium.	Section 2.
Act X of 1871	The Northern India Excise Act.	In paragraph 5 of section 3, the word "opium." Sections 18, 35, 66, 67 and 87. In section 19, the words "or opium." Section 46, so far as it relates to opium. In section 46, paragraph 3 from and including the words "as well as" down to and including the words "dealings in opium." In section 63, the words "except opium." In section 78, the words "except opium," and paragraph 2. In section 79, from and including the words "except opium" down to and including the words "each ser" and from and in-

Number and year.	Subject.	Extent of repeal.
		words "or in" down to and including the words "each ser."
Act IV of 1872.	The Panjáb Laws Act ...	Section 49.
Act XXVI of 1872.	Panjáb Opium Law Amendment.	The whole Act.
Act VI of 1873.	Transhipment of goods ...	Section 7.
Act XVI of 1875.	The Indian Tariff Act ...	Section 9.

BOMBAY REGULATIONS.

Number and year.	Subject.	Extent of repeal.
Bom. Reg. XXI of 1827.	Duty on opium	The preamble from and including the words "with the combined" down to and including the words "be prohibited." Chapters I, II, III and IV.
Bom. Reg. XX of 1830.	Malwa opium	So much as has not been repealed.

No. II.

Government of India.

LEGISLATIVE DEPARTMENT.

A

BILL

TO

Amend the law relating to Opium.

(Sir W. Muir.)

(Price annas.)

Govt. Central Branch Press, Simla.—5-7-76.—60.

LEGISLATIVE DEPARTMENT.

WE, the undersigned Members of the Select Committee to which the Bill to amend the law relating to Opium was referred, have the honour to report that we have considered the Bill and the papers noted in the margin.

Note by the Hon'ble Sir W. Muir, dated 2nd September 1875.
Despatch from Secretary of State, No. 43, dated 31st August 1875.
From Chief Commissioner, Oudh, No. 3478, dated 27th September 1875.
„ Secretary to Government, North-Western Provinces, No. 152A, dated 4th October 1875.
„ Chief Commissioner, Assam, No. 3464, dated 28th September 1875.
„ Officiating Secretary to Chief Commissioner, Central Provinces, No. 3787-165, dated 21st October 1875, and enclosure.
„ Secretary to Government, Panjáb, No. 2186, dated 29th October 1875.
„ „ „ Bengal, No. 2643, dated 10th November 1875.
„ Chief Commissioner, British Burma, No. 1933—400, dated 14th November 1875.
Endorsement, Financial Department, No. 2974, dated 14th December 1875, forwarding despatch from Secretary of State, No. 46, dated 21st October 1875.
From Officiating Secretary to Chief Commissioner, Mysore, No. 7836-6J, dated 18th January 1876.
„ Government of Madras, No. 6, dated 24th January 1876.
„ „ Bombay, No. 1498, dated 8th March 1876, and enclosures.
Suggestions by J. R. Naylor, Esq.
Demi-official from Collector of Salt Revenue, Bombay, dated 27th March 1876.
From Acting Commissioner of Customs, Bombay, No. 1540, dated 30th July 1874, and enclosures.
Extract from the Proceedings of the Government of Bombay, No. 5448, dated 14th October 1874.
Extract from the Proceedings of the Government of Bombay, No. 119, dated 9th January 1875.
From Acting Chief Secretary to the Government of Bombay, No. 3330, dated 6th June 1876.

2. We think that the proposed Act should come into force throughout British India on 1st January 1877.

3. Act No. VII of 1836 declared that the legality of acts done under the two Bombay Regulations which the Bill proposes to repeal, should not be questioned in any Court of law. That Act was repealed by Act VIII of 1868, but not so as to restore the jurisdiction thus withdrawn. We have endeavoured to maintain the present state of affairs by declaring that the reference made in Act No. VII of 1836 to those Regulations shall be read as if made to the corresponding provisions of the Bill.

4. We have defined "opium" so as to include poppy-heads and all intoxicating drugs prepared from the poppy, and "Magistrate" so as to confine criminal jurisdiction under the proposed Act to Presidency Magistrates and (in the Mofussil) Magistrates of the first class.

5. We have repealed and consolidated all extant enactments relating to opium, except the local and departmental rules contained in sections 3 to 31 of Act XIII of 1857. The Bill, accordingly, now not merely authorizes the Local Government to make rules as to poppy-cultivation and the possession, transport and sale of opium, it also provides rules as to the import, export and warehousing of opium; and it empowers the Local Government, with the previous sanction of the Governor General in Council, to prohibit or permit poppy-cultivation and the manufacture, possession, transport, import, export, or sale of opium, to make rules as to the manufacture, import, or export of opium, as to its safe custody and removal when warehoused, as to the disposal of things confiscated under the proposed Act, and as to rewards to officers and informers.

6. The penalties incurred for contravening the proposed Act, or any rule made thereunder, are a year's imprisonment, fine for Rs. 1,000, or both; and where a fine is imposed, we have required (in accordance with Bombay Regulation XXI of 1827, section 7) the convicting Magistrate to direct the offender to be imprisoned in default of payment for a term which may extend to six months.

7. We have extended the power of confiscation to the whole of the opium which an offender against the rules as to transport, import or export, is transporting, importing or exporting, as the case may be; and, when the offence is against the rules as to sale, to the whole of the opium in the offender's possession.

8. We have declared that, in prosecutions under the proposed Act, all opium the accused is unable satisfactorily to account shall be presumed to be opium in which an offence has been committed.

9. When an offender against the Act is not known, or cannot be found, or when poppie or opium not in the possession of any person cannot be satisfactorily accounted for, we hav provided for an enquiry and confiscation by the Collector of the district, or other prope officer.

10. We have empowered any duly authorized officer of any of the departments of Excis Police, Customs, Salt, Opium or Revenue, superior in rank to a Peon or Constable, on receivin written information that opium is unlawfully kept in an enclosed place, to enter, seize an arrest; and we have empowered any officer of any of those departments to seize opium carrie in an open place, which he has reason to believe liable to confiscation, and to arrest th person carrying it. We have required these officers to assist each other.

11. We have provided for the issue of warrants for arrest or search, and for the disposa of persons arrested and things seized.

12. We have provided a penalty for vexatious searches, seizures and arrests unde the proposed Act, and we think that every officer making an arrest or seizure should withi forty-eight hours report the particulars to his official superior.

13. We have also provided, in places where Act XIII of 1857 is not in force, for th attachment of a poppy-crop alleged to be illegally cultivated.

14. Lastly, we have declared that arrears of taxes, &c., due under the proposed Act o rules, and arrears due from farmers of opium-revenue, may be recovered as if they wer arrears of land-revenue.

15. The publication ordered by the Council has taken place; but the Bill has been s much altered that we think that it should be republished, with this report, in the *Gazette o India* and in the local Gazettes.

W. MUIR.
R. H. DAVIES.
A. HOBHOUSE.
JOHN INGLIS.
T. C. HOPE.
F. R. COCKERELL.

SIMLA;
26th June 1876.

Government of India.

LEGISLATIVE DEPARTMENT.

Report of the Select Committee on the Bill to amend the law relating to Opium.

Govt. Central Press, Simla.—5-7-76.—60 copies.

CA16

11.

SECTION S. R.

FILE No. 1 of 75-76

SERIAL No. 5

1876. No. 76.

From Secy: to the Govt: of India
Legislative Department
Simla

Dated 5th August 1876.
Despatched

No. 4654
3

Sup mo that, for certain reasons, the Ch: Comr deems it inexpedient to publish the Bill (No II.) & Reports relating to Opium, in the Mysore Gazette.

I have

MYSORE COMMISSION

No. 4654
3

H. C. C. Office
Bangalore 5th August 1876.

To,
The Secretary to the Govt. of India
Legislative Dept.
Simla

Sir,

In reply to your letter No. 49
of the 21st ultimo, forwarding
for an expression of opinion
the Bill and Report noted in the
margin, I am directed by the Chief
Comm.r to observe that though
the former Bill relating to Opium
was published in the Mysore
Gazette, as reported in this Office
letter No. 7836/6 dated 18th June
last, the Acts and Regulations
specified in the Schedule of
that Bill received as to be re-
pealed by it, are not in force
in this province, while the
Act when passed will have
no operation out of British
India; the Chief Comm.r therefore
deems it unexpedient to pub-
lish the Bill and Report in
the Mysore Gazette and will
refrain from doing so unless
specially ordered.

Bill (No. II) to amend the
Law relating to Opium
Report of the Select Committee
on the above Bills.

SECTION S. R

FILE No. 1075-76

SERIAL No. 6

From Government of India
Financial Dept.

To

6

Dated 31st August
Despatched
Received 12th Sept. 1876
Ref. 15th

ENCLOSURES NO.-/2 sp. copies

General No. 2465

No.

Requests that, in anticipation of the Bill relating to Opium having shortly passed, Rules on the various matters referred to in sec. 8 may be framed and submitted for sanction.

Circular 18/9/76

Rules

The Circular Mg/t. [illegible] Secretary of State for India [illegible]

No. 2465.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

SEPARATE REVENUE.
Opium.

To The Chief Commissioner, Mysore.

SIMLA, THE 31st AUGUST 1876.

SIR,

I am directed to draw your attention to Section 8 of the Bill to amend the law relating to Opium, published in page 656 of Part V of the *Gazette of India*, dated 8th July 1876.

2. In anticipation of the Bill being shortly passed, I am to request that you will be good enough to

to frame rules on the various matters referred to in that section, and submit them for the sanction of the Governor General in Council. It is of importance that these rules should have been considered and finally settled before the Bill becomes law, so that they may be brought into force without any delay.

I have the honor to be,

SIR,

Your most obedient Servant,

J Barbour

Under-Secy. to the Govt. of India.

9
A-16.

1876

No. 6

SECTION S. R

FILE No. 1 of 75-76

SERIAL No. 7

Draft

The Secy to the Govt. of Indon
Financial departt
Simla

No 2 dated 2 September. (7)
Despd. " "
Recd. 16th "

No. 6058/R 33

Observes that it is not
intended that the provi
sions of the Act should
be introduced in this
Province.

Mysore C. C. Office.

Bangalore 20th September 1876.

(1)

To,

The Secy: to the Govt. of India

Financial Depart.t

Sir,

With reference to your letter No. 2465 dated 21st August 1876, I am directed to ~~Solicit your attention~~ Request reference to this Office letter No. 4654/3 of the 5th ultimo and to observe that ~~state that the Chief Engineer, in his letter, intended~~ ~~Commissioner for~~ ~~Mysore~~ that the provisions of the Act ~~Mysore~~ Survey No. 2 Enclosure ~~referred to will not~~ take effect in this Province

17

~~Province at present, and that, in his opinion~~, it will not be necessary to frame rules on the various matters referred to in Section 8 of the Bill to amend the law relating to Opinions.

Mark J.

the Subscription of the Rules by the Judges under Copy with this Section ~~to~~ the Discovery

J.

Offg: Secy:

3/9/76.

W.R.D

SECTION S. R

FILE No. L of 75-76

SERIAL No. 8

1877.

From Offg. Under Secy. to Govt. of India, Financial Dept.

To The Comr. of Mysore.

(8)

No. 10306 dt. 22-23 Oct. 1877

Dated 31st October 1877.

Despatched

Received 1 Nov. 1877

Enclosures No. /

General No. L0882 } 1877.
No.

With reference to this Office No. 0358/33 dt. 28 Sept. 76, states that extension to Mysore of the Opium Act of 76 is contemplated, & requests to frame & submit as early as possible draft rules on the various matters referred to in section 8 of the Act.

14/11/77

No. 4082.

8

To

The Chief Commissioner of
Mysore

Fin. Dept. Sir,

With reference to your letter No. 6054/3. dated the 20th September 1876, I am desired to say that exclusion to Mysore of the Opium Act of 1876, is contemplated, I am therefore to request that you will be good enough to frame and submit as early as possible for the consideration of the Governor General in Council draft rules on the various matters referred to in section 8 of the act.

2. A revised Copy of the draft-rules for the North Western Provinces is herewith forwarded in the hope that they may be of assistance to you in preparing rules for Mysore.

I have the honor to be
Sir
Your Most Obt. Servant
S. Hobhouse
Offg. Under Secretary to the
Govt. of India

Simla
The 31st October
1876

Register.

Enclosure to S.L.G.

DRAFT OF RULES UNDER SECTION 8 OF THE OPIUM ACT, 1876.

In exercise of the powers conferred by Section 8 of The Opium Act, 1876, the eutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh ha ade the following Rules which have received the sanction of the Governor General i ouncil and are now published as required by the Act. Excepting as, in any case, expressl nited, these Rules apply to all the territories administered by the Lieutenant-Governor of th orth-Western Provinces and Chief Commissioner of Oudh:

Rules.

I. *Interpretation clause.*—In these Rules—

(1.) "Jaunsar Bawar" means that portion of the Pargana of Jaunsar Bawar in th istrict of Dehra Dun which is outside of the Cantonment of Chakrata, or of such limits be nd the boundaries of this Cantonment as the Lieutenant-Governor of the North-Western Pr nces may, by Notification in the *North-Western Provinces Gazette*, from time to time, prescrib

(2.) "Board" means, in the territories subject to the Lieutenant-Governor of the North Western Provinces, the Board of Revenue for the North-Western Provinces, and, in the terr ories subject to the Chief Commissioner of Oudh, the Chief Commissioner.

(3.) "Commissioner" means the Commissioner of Excise.

(4.) "Collector" means any revenue officer in independent charge of a district, a ncludes a Deputy Commissioner.

(5.) "Officer in charge of the excise revenue" means any subordinate officer of his st whom the Collector may place in executive charge of the excise administration of the whole part of a district.

(6.) "Opium" means the inspissated juice of the poppy.

(7.) "Intoxicating drugs" includes madak and chandu, and every preparation and admixture thereof, and kafa, and all other intoxicating or narcotic preparations of opium and of the poppy, but does not include poppy-heads.

(8.) "Poppy-heads" means the dry capsules of the poppy plant.

(9.) "Farmer" means a person who has obtained from the Collector under Rule XXVI or Rule XXXII a farm of the duties leviable on the retail sale for all or any "intoxicating drugs."

(10.) "Licensed vendor" means a person who has obtained a license for retail vend under Rule XVIII, XIX (*b*), XXII or XXXII.

(11.) "Medical practitioner" means a medical practitioner to whom a license has been granted by a Collector under Rule VI.

II. *Cultivation.*—Excepting, during the term of the current settlement, in Jaunsar Bawar, the cultivation of the poppy, otherwise than for the Government, is prohibited. The Lieutenant-Governor of the North-Western Provinces may, by Notification in the *Government Gazette*, define the tracts within which such cultivation for the Government is allowed, and, after such a Notification has appeared, the cultivation of the poppy elsewhere is absolutely prohibited.

III. *Manufacture.*—The manufacture of opium, except for the Government, and the manufacture of more than three tolas weight of intoxicating drugs without a license from the Collector or a farmer, are prohibited.

IV. *Possession.*—Except as provided in Rule V—

(i.) No person shall have in his possession any opium other than opium purchased from the Government, or from a farmer or licensed vendor.

(ii.) No person, not being a farmer, licensed vendor, or medical practitioner, shall have in his possession more than three tolas of opium or intoxicating drugs, or more than five seers of poppy-heads.

V. Rule IV does not apply to:—

(i.) Persons in Jaunsar Bawar having in their possession opium produced in Jaunsar Bawar.

(ii.) Persons authorised to cultivate the poppy under Act XIII of 1857, having in their possession (*a*) newly-extracted poppy juice during the usual period between the full growth of the poppy and the date fixed for the delivery of the produce to the Opium Agent; (*b*) poppy-heads, for one month after the delivery of their opium to the Opium Agent; (*c*) poppy-heads containing seed for sowing from May to December inclusive.

(iii.) Travellers and visitors from Foreign Countries having in their possession any quantity of opium produced in foreign territory, or intoxicating drugs prepared therefrom, not exceeding two seers in weight, intended for the personal use of such travellers and visitors or their attendants, and not for sale or barter.

(iv.) Foreign horse-dealers entering British India with their horses, having in their possession opium produced in foreign territory or intoxicating drugs prepared therefrom limited to 10 tolas weight per horse.

(v.) Opium, intoxicating drugs, or poppy-heads in transit covered by a pass under Rule VIII.

If opium or intoxicating drugs be found in possession of any such traveller, visitor, or horse-dealer, in excess of the authorised quantity, such excess shall be liable to confiscation; but the persons in whose possession it may be found shall not be subject to any further penalty.

VI. The Collector may grant to any medical practitioner residing within his District a license in Form I appended to these Rules, for the possession and retail of opium and intoxicating drugs for medical purposes only.

VII. *Transport from Jaunsar Bawar forbidden.*—The transport of opium, poppy-heads, or intoxicating drugs from Jaunsar Bawar into British Territory is forbidden. These articles may be exported from Jaunsar Bawar only into foreign countries.

VIII. *Transport from elsewhere than Jaunsar Bawar.*—When a farmer or licensed vendor desires to transport opium, intoxicating drugs, or poppy-heads—

(*Case* (*a*)) from one District to another;

(*Case* (*b*)) from one pargana to another pargana of the same District when the parganas of a District are farmed to different farmers;

he shall obtain a pass for each despatch in such form as the Commissioner may, from time to time, prescribe;

in *Case* (*a*), from the officer in charge of the excise revenue of the District,

in *Case* (*b*), from the tahsíldar of the pargana,

from which, as the case may be, such opium, intoxicating drugs, or poppy-heads are to be transported.

The pass shall specify—

(1) the name of the person in charge of the consignment,
(2) the name of the consignee,
(3) the number of packages and the weight and contents of each, and
(4) the destination of the consignment.

Each package shall be stamped, in the presence of the officer granting the pass, with his official seal.

IX. No such pass shall be granted unless the person applying for it can produce a written permission to apply for such pass;

in *Case* (*a*), from the officer in charge of the excise revenue of the district,

in *Case* (*b*), from the tahsíldar of the pargana,

to which, as the case may be, the opium, intoxicating drugs or poppy-heads are to be transported.

X. A copy of every transport pass granted shall be sent—

in *Case* (*a*), to the officer in charge of the excise revenue of the district,

in *Case* (*b*), to the tahsíldar of the pargana,

to which, as the case may be, the consignment is to be transported.

XI. The bulk of a consignment shall not be broken in transit.

XII. The pass and the packages shall, on arrival, be presented for examination—

in *Case* (*a*), to the officer in charge of the excise revenue of the district;

in *Case* (*b*), to the tahsíldar of the pargana.

If, after examination, such officer or tahsíldar concludes that the packages have not been opened or tampered with in transit, if their number is complete, and if they be found to be of the full weight specified in the pass (less an allowance for dryage in the case of opium and intoxicating drugs of one-quarter per cent.), the packages shall be allowed to proceed, the pass being retained by the examining officer. Otherwise, the packages shall be detained pending the orders of the Collector.

XIII. *Import.*—No person may import opium, intoxicating drugs, or poppy-heads, whether from British or Foreign Territory, unless he shall have, first, obtained a written permit from the Collector or officer in charge of the excise revenue of the frontier district, through or into which the opium, intoxicating drugs, or poppy-heads are to be brought.

This permit shall specify the quantity of opium, or intoxicating drugs, or poppy-heads, the place whence, and the manner in which, it is to be imported.

The consignment shall, on arrival, be produced before the Collector or officer in charge of the excise revenue of such frontier district; and then stored or kept in accordance with the Rules in force. Such opium, intoxicating drugs, or poppy-heads can be transported to any other District only in accordance with Rules VIII to XI.

XIV. *Transit of opium for export from Bombay.*—The pass of a duly authorised officer shall protect opium intended for export beyond sea from Bombay while in transit by rail: but such opium may not be removed from the custody of the Railway Company or Companies.

XV. *Export from elsewhere than Jaunsar Bawar.*—When any person desires to export opium, intoxicating drugs, or poppy-heads from elsewhere than Jaunsar Bawar, whether into any Foreign State, or into any other portion of British India, he shall obtain a pass for each consignment, in such form as the Commissioner may, from time to time, prescribe, from the Collector of the District from which such opium, intoxicating drugs, or poppy-heads are to be exported.

The pass shall specify—

(1) the name of the person in charge of the consignment,

(2) the name of the consignee,

(3) the number of packages and the weight and contents of each, and

(4) the destination of the consignment.

Each package shall be stamped, in the presence of the officer granting the pass, with his official seal.

XVI. The bulk of a consignment covered by such a pass shall not be broken while in transit; and any revenue officer, not inferior in grade to a tahsíldar, or any police officer, not inferior in grade to an inspector, may, at any time, examine such consignment. If, after such examination, the officer concludes that the packages have not been opened or tampered with in transit, if their number corresponds with the number specified in the pass, and if they be of the full weight specified in the pass (less an allowance for dryage in the case of opium and intoxicating drugs of one-quarter per cent.), the consignment shall be allowed to proceed. Otherwise, the consignment shall be detained pending the orders of the Collector by whom the pass was granted. Rule IX shall apply to any such consignment intended for another part of British India.

XVII. *Wholesale.*—Opium, in quantities of not less than one seer, shall be supplied, on prepayment, at such rates as the Local Government may, from time to time, prescribe by Notification in the *Government Gazette*, from the Collector's office only, to the treasurer or his agent, or to a farmer, licensed vendor or medical practitioner.

XVIII. *Retail.* (i.)—No person shall retail opium, intoxicating drugs, or poppy-heads, except under license from the Collector or from a farmer, and in accordance with the conditions specified in the license.

(ii.) The sale of any quantity not exceeding three tolas of opium or intoxicating drugs, or five seers of poppy-heads is a retail; and no larger quantities shall be sold, except to a licensed vendor or medical practitioner, or under a special order from an officer exercising the powers of an Assistant Collector of the First Class under the North-Western Provinces Land-Revenue Act 1873.

XIX. In tahsíls where the cultivation of the poppy is permitted, opium may be retailed, at such localities as the Collector may from time to time determine, only—

(*a*) by the Government treasurer or his agent, or

(*b*) by persons specially authorised by the Board.

Applications for special authority to retail opium at any such locality shall be made through the Commissioner.

XX. In tahsíls where the cultivation of the poppy is prohibited, licenses for the retail of opium may be granted by the Collector with the previous sanction of the Commissioner.

XXI. Opium shall not be retailed at any Government Office.

XXII. Licenses for the retail of opium shall be granted to the treasurer or his agent, in Form II, and to other licensed vendors in Form III.

XXIII. Whenever the Collector grants a license for the retail of opium or of intoxicating drugs, he shall demand such duty, and shall impose such conditions on the licensee over and above those specified in the license, as may, from time to time, be prescribed by the Board.

XXIV. Licenses for the retail of intoxicating drugs shall be granted by the Collector in Form IV; and every person taking out such a license shall execute a counterpart engagement for the due performance of all the conditions expressed in the license and any additional conditions which may be imposed by the Collector under the directions of the Board, and shall give such security for the performance of his engagement, or make such deposit in lieu of security, as the Collector may require.

XXV. Licenses for retail shall be granted for one year only, unless the Board shall otherwise specifically direct.

XXVI. With the sanction of the Commissioner, the Collector may let in farm the duties leviable on the retail of all or any intoxicating drugs, for a term not exceeding two years, and, with the sanction of the Board, for a term not exceeding five years. The Board may prescribe rules (*a*) for the invitation and acceptance of tenders for such farms, (*b*) for the requisition of security for the due fulfilment of the engagements entered into by the farmers, and (*c*) as to the form and conditions of such leases. Any breach of such engagement shall render the lease liable to annulment.

XXVII. When the duties leviable on any intoxicating drug are let in farm, the farmer may make his own arrangements for the manufacture and retail thereof within the limits

of his farm, provided that no opium except that supplied from the Collector's office shall be used in the manufacture of such drugs. All the penalties prescribed in the 10th and following sections of The Opium Act 1876 for the unlawful manufacture, sale, or possession of any such drug, shall be incurred by all persons manufacturing, selling, or possessing the same without license from the farmer.

XXVIII. Before entering into engagements for any such farm, the Collector may, with the sanction of the Commissioner, make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

Such licenses shall be granted in Form V.

XXIX. Every farmer shall file in the Collector's office, in such form as may from time to time be prescribed by the Commissioner, a list of all licenses granted by him.

XXX. With the sanction of the Board, obtained through the Commissioner, the Collector may cancel any lease granted under Rule XXVI; or may, within the period of the lease, impose any new reservation or restriction on the farmer.

If a lease be cancelled for any cause other than a breach of the conditions of the lease, or if any reservation or restriction with respect to the grant of licenses be imposed during the lease, the Board may award to the farmer compensation for any loss thereby caused to him.

XXXI. Arrears of duty due from a licensed vendor may be recovered by a farmer by suit in the revenue courts, in the manner prescribed for suits for arrears of Government revenue due to lumberdars.

XXXII. The Collector may grant licenses for the retail of poppy-heads, or may farm the duties leviable on the retail of the same, on such terms as the Board shall, from time to time, prescribe.

XXXIII. If any licensed-vendor or farmer shall have in his possession, on the expiry of his license or farm, any opium, intoxicating drugs, or poppy-heads which he is unable to dispose of, to the satisfaction of the Collector, by private sale to other licensed vendors or farmers, he shall surrender the same to the officer in charge of the excise revenue; and the incoming licensed vendor or farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, when required by the Collector, shall be bound to purchase the articles aforesaid to the extent of two months' supply, at such price, and in such quantities, as the Collector shall adjudge, provided that the price of opium thus adjudged shall, in no case, exceed the rate at which it can be procured from the Government: provided also that, if such articles be declared by the Civil Surgeon to be unfit for use, the Collector shall cause them to be destroyed.

XXXIV. *Disposal of things confiscated.* (i.)—Opium confiscated under the Act shall be examined by the Civil Surgeon, and, if declared by him to be fit for use, shall be sent to the Opium Agent of the Benares or Behar Agency. If declared to be unfit for use, it shall be immediately destroyed.

(ii.) Intoxicating drugs confiscated under the Act shall be immediately destroyed; provided that when any considerable quantity of kafa is confiscated, the convicting Magistrate may, if he think proper, forward it to either of the said Opium Agents for analysis and report.

(iii.) Poppy-heads confiscated under the Act shall be disposed of as the officer in charge of the excise revenue of the district in which the confiscation is made may direct.

XXXV. *Rewards to be paid to officers and informers out of the proceeds of fines and confiscations under the Act.*—Any Magistrate convicting an offender under Section 10, or any Magistrate or other authorised officer ordering the confiscation of poppies or opium under Section 13 of The Opium Act 1876, is authorised to grant a reward not exceeding the value of the opium or poppies confiscated in the case, *plus* the amount of any fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the opium or poppies or the conviction of the offender.

FORMS.

I.—Special license to Medical Practitioner under Rule VI.

Special license granted to A. B. following the profession of_____ at_____in the district of_____for the retail of opium, pure or mixed, on the condition that such opium shall be procured from the Collector's office, or a licensed vendor, and shall be used *bonâ fide* as medicine or in medical preparations or prescriptions.

District }
Dated }

II.—License for Retail Vend to Treasurer or his Agent.

A B, holding the office of_____in the service of Government at_____in he district of_____is hereby authorised to retail opium subject to these conditions:—

1*st.*—That he will only sell opium supplied from the Collector's Office.

2*nd.*—That he will sell opium only for ready money and during office hours.

3*rd.*—That all sales shall be duly registered in a book kept for that purpose.

4*th.*—That, except to a medical practitioner holding a special license from the Collector, he will not sell more than three tolas of opium to one person at one time.

5*th.*—That this license is issued under all the conditions prescribed in The Opium Act 1876, and in the Rules framed under Section 8 thereof.

District
Dated } *Collector.*

III.—License for Retail Vend (general.)

NOTE.—*Counterpart of this will be signed by the license-holder and deposited in the Collector's Office.*

District
No. of license in Register
Name of Retailer
Locality of shop

Be it known that A. B. resident of pargana district of is hereby authorised by the Collector of to sell opium by retail at in from the date of this license to the day of 18 upon the following conditions:—

I. That he will pay to Government a monthly tax of

II. That he will sell no opium but such as he may purchase from the Collector's Office and that he will not receive, or have in his possession, opium obtained otherwise.

III. That he will retail opium only in the shop for which this license is granted.

IV. That, except to a medical practitioner holding a special license from the Collector, he will not sell more than three tolas' weight of opium to any person at one time.

V. That he will not adulterate the opium sold by him.

VI. That he will not receive any wearing apparel, or other goods, in barter for opium.

VII. That he will not open his shop, or make sales therein, before sunrise; that he wil not keep it open, or make sales therein, after , and that he will not harbour any perso therein during the night.

VIII. That he will not permit persons of notoriously bad character to resort to his shop that he will prevent gaming and disorderly conduct therein; and that he will give information t the nearest Magistrate or Police Officer of any suspected persons who may resort to his shop.

IX. That he will have constantly fixed up, at the entrance of his shop, a sign-boar bearing the following inscription, in legible characters, in the vernacular language:—

(Name of vendor.)

"Licensed to retail Opium."

X. That, if he buy less than which is the quantity estimated to b retailed at in each month, he will, if required, explain th reason of the falling-off to the Collector.

XI. That he will keep up daily an account in this form, showing the receipts and del veries of opium at his shop each day, and the balance in store:—

Date.	Quantity of Opium in store from yesterday.	Quantity of Opium received this day, and whence received.	Total quantity to be accounted for.	Quantity sold this day.	Quantity left in store.

XII. That he will produce, for inspection, on the demand of any Excise Officer abo the rank of Jemadar, his license and accounts; and that he will not prevent any Exci Officer, of whatever grade, from entering his shop at any hour of the day or night.

XIII. If the holder of this license does not intend to renew it on the expiry of the perio for which it is granted, he shall give notice to the Collector that he contemplates its surrender at least 15 days before the expiry of the period for which it is granted, *i. e.*, before the day of 18 .

If such notice be not given or if this license be not recalled by the Collector under the authority reserved to him in the next succeeding clause, this license, and any counterpart engagement for the due observance of these conditions that the license-holder may have entered into, shall remain in force as if this license and the engagement were formally renewed for a further term of one year, *viz.*, to the day of 18 .

XIV. This license may be recalled by the Collector—

(*a*) for default of punctual payment of the tax or duty stipulated to be paid in clause i ;

(*b*) for violation of any of the conditions specified in this license ;

(*c*) if the holder of this license be convicted of breach of the peace or of any other criminal offence during the currency of this license.

Should the license be recalled for any of these causes, the license-holder will have no claim to any compensation whatever, or to any refund of any tax or instalment of tax already paid. But it shall be in the discretion of the Collector to make such compensation or refund should he consider it necessary or advisable to do so.

Should the Collector desire to recall this license before the expiry of the period for which it has been granted for any cause other than those above specified, (*a*), (*b*) and (*c*), he shall give 15 days' previous notice and remit a sum equal to the duty for 15 days, or, if notice be not given, shall make such further compensation, in default of notice, as the Commissioner may direct.

XV. This license may be surrendered by the license-holder on his giving one month's notice to the Collector, and paying such fine not exceeding the amount of the duty for six months, or the loss caused to Government by the failure to carry out any condition imposed, as the Collector may adjudge.

Should the Collector be satisfied that the reason for resigning the license is adequate, he may, with the sanction of the Commissioner, remit the fine.

XVI. On the infringement of any of the above Articles or of any of the conditions imposed by The Opium Act 1876 or by the Rules framed thereunder, this license and any other license or licenses that the holder may have obtained for the sale of opium, or for the manufacture or sale of Madak or Chandú, will be forfeited ; he will also be liable to the punishment prescribed by law for the specific offence committed.

IV.—License for the Retail Sale of Madak or of Chandú.

NOTE.—*Counterpart of this will be signed by the license-holder and deposited in the Collector's Office.*

District
No. in Register
Name of vendor
Locality of shop

Be it known that A. B. resident of pargana district of is authorised by the Collector of to open a shop for the retail vend of Madak (or Chandú, as the case may be,) at from the date of this license to the 18 , upon the following conditions :—

I. That he will pay to Government a monthly tax of

II. That he will purchase all the opium he may use in the manufacture of Madak (or Chandú, &c., as the case may be,) direct from the Collector's Office and not from any opium vendor.

III. That he will sell Madak (or Chandú) only in the shop for which this license is granted, and that he will not sell Madak (or Chandú) in any other place.

IV. That he will not sell more than three tolas' weight of Madak (or Chandú) to one person at one time.

V. That he will not receive any wearing apparel or other goods in barter for the drug.

VI. That he will not open his shop, or make sales therein, before sunrise ; that he will not keep it open, or make sales therein, after , and that he will not harbour any suspected person therein.

VII. That he will not permit persons of notoriously bad character to resort to his shop ; that he will prevent gaming and disorderly conduct therein ; and that he will give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.

VIII. That he will have constantly fixed up, at the entrance of his shop, a sign-board bearing the following inscription, in the vernacular language of the country :—

(Name of vendor.)

Licensed vendor of Madak (or Chandú.)

IX. That will he keep up daily the following account, showing the receipts of opium in his shop, the quantity used in the manufacture of Madak (or Chandú), and the balance remaining in store at the end of the day :—

1.—OPIUM.

Date.	Quantity of Opium remaining in store yesterday.	Quantity received to-day, and whence received.	Total Opium to be accounted for. M. S. C.	Opium used in the preparation of Madak (or Chandú.) M. S. C.	Quantity remaining in store.
1	2	3	4	5	6

2.—MADAK OR CHANDU.

Date.	Quantity remaining in store yesterday.	Quantity manufactured out of Opium to-day.	Total quantity of Madak or Chandú to be accounted for.	Madak or Chandú sold to-day. M. S. C.	Quantity remaining in store this day.
1	2	3	4	5	6

X. That he will produce, at once, for inspection, on the demand of any Excise Officer above the rank of Jemadar, his license and accounts; and that he will not prevent any Excise Officer, of whatever grade, from entering his shop at any hour of the day or night.

XI. If the holder of this license does not intend to renew it on the expiry of the period for which it is granted, he shall give notice to the Collector that he contemplates its surrender, at least 15 days before the expiry of the term for which it is granted, *i. e.*, before the day of 18 .

If such notice be not given or if this license be not recalled by the Collector under the authority reserved to him in the next succeeding clause, this license, and any counterpart engagement for the due observance of these conditions that the license-holder may have entered into, shall remain in force as if this license and the engagement were formally renewed for a further term of one year, *viz.*, to the day of 18 .

XII. This license may be recalled by the Collector—

(*a*) for default of punctual payment of the tax or duty stipulated to be paid in clause i;

(*b*) for violation of any of the conditions specified in this license;

(*c*) if the holder of this license be convicted of breach of the peace or of any other criminal offence during the currency of this license.

Should the license be recalled for any of these causes, the license-holder will have no claim to any compensation whatever, or to any refund of any tax or instalment of tax already paid. But it shall be in the discretion of the Collector to make such compensation or refund should he consider it necessary or advisable to do so.

Should the Collector desire to recall this license before the expiry of the period for which it has been granted for any cause other than those above specified, (*a*), (*b*) and (*c*), he shall give 15 days' previous notice and remit a sum equal to the duty for 15 days, or, if notice be not given, shall make such further compensation in default of notice as the Commissioner may direct.

XIII. This license may be surrendered by the license-holder on his giving one month's previous notice to the Collector, and paying such fine not exceeding the amount of the duty for six months, or the loss caused to Government by the failure to carry out any condition imposed as the Collector may adjudge.

Should the Collector be satisfied that the condition for resigning the license is adequate, he may, with the sanction of the Commissioner, remit the fine.

XIV. On the infringement of any of the above Articles or any of the conditions imposed by The Opium Act, 1876, or by the Rules framed thereunder, this license and any other license or

licenses that the holder may have obtained for the sale of opium, or for the manufacture or sale of Madak or Chandú, will be forfeited; he will also be liable to the punishment prescribed by law for the specific offence committed.

V.—License for the Retail Sale of Madak or of Chandú.

NOTE.—*Counterpart of this will be signed by the license holder and deposited in the Collector's Office.*

District
No. in Register
Name of vendor
Locality of shop

Be it known that A. B. resident of pargana district of is authorised by C. D. the farmer of to open a shop for the retail vend of Madak (or Chandú, as the case may be,) at from the date of this license to the 18 , on the following conditions:—

I. That he will pay to the farmer C. D. a monthly tax of

II. That he will purchase all the opium he may use in the manufacture of Madak (or Chandú, &c., as the case may be,) direct from the farmer C. D. and not from any opium vendor.

III. That he will sell Madak (or Chandú) only in the shop for which this license is granted.

IV. That he will not sell more than three tolas' weight of Madak (or Chandú) to one person at one time.

V. That he will not receive any wearing apparel or other goods in barter for the drug.

VI. That he will not open his shop, or make sales therein, before sunrise; that he will not keep it open, or effect sales therein, after , and that he will not harbour any suspected person therein.

VII. That he will not permit persons of notoriously bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein; and that he will give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.

VIII. That he will have constantly fixed up, at the entrance of his shop, a sign-board bearing the following inscription, in the vernacular language of the country:—

(Name of vendor).

Licensed vendor of Madak (or Chandú.)

IX. That he will keep up daily the following account, showing the receipts of opium in his shop, the quantity used in the manufacture of , and the balance remaining in store at the end of the day:—

1.—OPIUM.

Date.	Quantity of Opium remaining in store yesterday.	Quantity received to-day, and whence received.	Total Opium to be accounted for. M. S. C.	Opium used in the preparation of Madak (or Chandú). M. S. C.	Quantity remaining in store.
1	2	3	4	5	6

2.—MADAK OR CHANDU.

Date.	Quantity remaining in store yesterday.	Quantity manufactured out of Opium to-day.	Total quantity of Madak or Chandú to be accounted for.	Madak or Chandú sold to-day. M. S. C.	Quantity remaining in store this day.
1	2	3	4	5	6

X. That he will produce, at once, for inspection, on the demand of any Excise Officer above the rank of Jemadar, his license and accounts; and that he will not prevent any Excise Officer, of whatever grade, from entering his shop at any hour of the day or night.

XI. This license may be recalled by the Farmer—

(*a*) for default of punctual payment of the tax or duty stipulated to be paid in clause I;

and by the Farmer or Collector—

(*b*) for violation of any of the conditions specified in this license;

(*c*) if the holder of this license be convicted of breach of the peace or of any other criminal offence during the currency of this license.

XII. On the infringement of any of the above Articles or of any of the conditions imposed by The Opium Act, 1876, or by the Rules framed thereunder, this license and any other license or licenses that the holder may have taken out for the sale of opium, or for the manufacture or sale of Madak or Chandú, will be forfeited; he will also be liable to the punishment prescribed by law for the specific offence committed.

Govt. Central Brach Press, Simla,—No. 74 C. F.,—4-10-77- 12.

SECTION S.R

FILE No. 1 of 75-76

SERIAL No. 9

1878. 88.

From Asstt. Secy. to Govt of India, Financial Dept

To Ch. Commr of Mysore

9

Dated 21st Dec 1877.

Despatched

Received 31/1/78

Enclosures No.

General No. 2943 } 1878.
No.

Invites attention to his No 4082 dt 31st Dec 1877, & requests to expedite the submission of the draft rules under Section 8 of the Opium Act, 1876, for Mysore & Coorg.

Re Opium

31-1-78
26-5-78 Rem

Sir

Draft rules sent with letter dated 21st Dec 1877 received

Sub to day in reply to letter from Govt of India

No. 2943

To,

The Chief Commissioner of
Mysore.

Finl. Departt. Sir,

I am desired to invite your attention to my letter No. 4082 dated 31st October 1877, and to request that you will be good enough to expedite the submission of the draft rules under section 8 of the opium act 1876 for Mysore and Coorg.

Fort William
The 31st December 1877
Desp. 21-1-78.

I have the honor to be
Sir
your most obedient Servant

W. S. Williamson

Asst. Secy. to the Govt. of India

W 2/1

What has been done
in this matter? –

Draft rules pre-
-pared and sent to
Mundidrong Cons. for observa-
-tions, which were received
only yesterday, and is now
disposal in the Registry. –

31.1.78

2 Sub. Sec.!

Please do
-ver & as soon as possible.

31.1.78

FILE No. 1495-76

SERIAL No. 10

1878.

No. 46

To The Secretary to the
Govt. of India
Jail Depart.

(19)

Read 22 February
Despatched 23
Received 1/3/78

Enclosures No. 2 } 1 Draft Rule
1 Copy of Mundy
Court's letter
No. 2220/28-1

No. 10,306
No. 54

In reply to letter dtd 29th
ult. 31st December last for-
wards Draft Rules on
the Sale of Opium &c.
of 1876.

Vide Telegram from
C No. 997

Received 6th
Jan 1878
40 & 2
Sent of this file

General No: 10,306

Fi " 54

Bangalore 22 Feb 1/7

To (10) 24

The Secretary to the
Government of India
Financial Departmen

Sir,

In compliance with
the request contained in
Assistant Secretary Col
Ingberry's letter No. 2943
of the 31st December last
I am directed by the Chief
Commissioner to forward
herewith the Draft Rules
framed under Section 8 of
the Opium Act of 1876,
and to state that as
Poppy is not cultivated
to any appreciable extent
in this Province except
in the Bangalore and
Kolar Districts where als
the cultivation is small
and steadily decreasing,
as will be seen from a Copy
of a letter from the Offg
Commissioner of Mandya
Division No. 222 dated 28

Since repealed by Act No 4 of 1878.

Allkins herewith submitted, Col. Saunders is disposed to think that, rather than introducing the Opium Act into Mysore or giving any special encouragement to the manufacture and sale of Opium in the Province, by appointing a distinct and expensive establishment for controlling such cultivation and sale, he would prefer to see the cultivation of the drug entirely prohibited within the Province.

Yours

6.2.78

Off. Secretary.

Draft Rules under Section 8 of the Opium Act XXIII of 1876.

Cultivation &c.

1. The cultivation of the Poppy within the Territories of H.H. the Maha Rajah of Mysore except on account of Government is hereby prohibited.

2. The Chief Commr. of Mysore shall from time to time fix the limits within which licences may be given for the cultivation of the poppy on account of Government. The cultivation of the Poppy will be authorized only in the Districts of Bangalore and Kolar for the present.

3. The privileges hitherto enjoyed by cultivators or Manufacturers of Opium are hereby cancelled.

4. The Amildar entrusted with the Superintendence

of cultivation, shall at the proper period of the year issue (through the Sheristedar) licenses to the Cultivators who may choose to engage to cultivate the poppy and to deliver the produce to the officers of Government at the established rates. Every license shall specify the no: of acres which the party engages and is authorized to cultivate and shall be in Form A appended to these rules. A counterpart engagement in conformity with the tenor of the license shall be taken from the Cultivator. It shall be at the option of the Amildar to withhold a license from any cultivator whenever he may think it proper to do so. Any person to whom a license has been refused may appeal to the Deputy Commr. whose decision shall be final.

be given for the cultivation of the Coppy, or Manufacture of opium. It shall be at the option of every cultivator to enter into engagement for the cultivation of the Coppy or not as he may consider fit. Any Government official employed in the provisions of opium, who shall compell, or use any means to compell any cultivator to enter into engagements for the cultivation of the Coppy, shall be liable to be dismissed from his situation.

6. All opium, the produce of land cultivated with Coppy on account of Government, shall be delivered by the cultivators to the Amildar of the Taluk, and no such opium shall be liable to be distrained or attached by any Inamdar, or Proprietor or farmer of

other creditor of a cultivator under any order or decree of a court; but the sum due to the Cultivator on account of such opium may be attached by order of Court in the hands of the Amildar under the rules in force for such attachment.

7. The Chief Commr. shall from time to time fix the price to be paid to the Cultivators for the opium produced. The price shall be fixed at a certain sum per seer of 80 Tolas for opium of a certain Standard consistence, and shall be subject to a rateable reduction, according to the scale sanctioned by the Chief Commissioner, for opium of a consistence below the standard.

8. All opium delivered by the cultivators to the Amilo

shall, before it is forwarded to the Sudder Factory at the District Head Quarters, be weighed, examined and classified according to its quality and consistence by that Officer or the Taluk Sheristadar in the presence of the cultivators and in conformity with the rules sanctioned by the Chief Commissioner. Any cultivator who may be dissatisfied with the classification of the Taluk authorities shall be at liberty either to take his opium to the Sudder Factory or to have it forwarded thither by such officer separate from the opium respecting which no dispute has arisen. All opium forwarded by the Amildar to the Sadr Factory shall be there weighed and examined by the Officer duly authorized in that behalf, and the

quality and consistence of the opium and the deductions from, or additions, if any, to the Standard price to be made, shall be determined by the result of such examination. The decision of that officer shall be final and conclusive and not open to question in any Court.

9. When opium delivered by a cultivator to the Amildar is suspected of being adulterated with any foreign substance, it shall be immediately sealed up pending examination by the officer in charge of the Sadar Factory, and notice of such intended examination shall be given to the cultivator. If upon such examination, the opium shall be found to be so adulterated, the Dy. Commr. on the report

of the Officer in charge of the Sadar Factory may order that it be confiscated and the order of the Deputy Commr. shall be final and not open to question in any Court.

10. Each District Officer shall annually before beginning to weigh the opium of the season, examine the weights and Scales in use in his District and shall report the result of such Examination to the Commissioner.

11. The Accounts of the cultivators shall be adjusted annually by the Distt. Officer as soon after the conclusion, the weighing and Examination as possible.

12. Any official who shall receive any fee, gratuity, perquisite, or allowance either in money or effects under any pretence whatsoever

from any Cultivator, or from any other person employed or concerned in the provision of opium other than the authorized allowance of his situation shall be dismissed from his Office; and on conviction before a Magistrate shall be liable to a fine not exceeding 500 Rupees.

13. If any Inamdar or other proprietor of land or any farmer of land shall exact from any ryot on account of his poppy land, any illegal cess or any higher rate of rent than he is lawfully entitled to demand the ryot may institute a suit before the Deputy Commissioner and recover from such Inamdar, proprietor, or farmer the sum exacted by him in excess of his lawful demand together with a penalty of treble the

amount of such excess; and such suit shall be tried according to the rules prescribed for regular revenue suits.

14. Any cultivator entering into engagements for the cultivation of the Poppy on account of Government who may embezzle or otherwise illegally dispose of any part of the Opium produced shall be liable to a penalty not exceeding ten times the fixed price of the opium which he may be proved to have so disposed of, or to a fine not exceeding 500 Rs., if the amount of the said penalty be less than that sum; and the opium, if found, shall be liable to confiscation.

15. Any person purchasing or receiving any opium from a cultivator or other person who may

have entered into engagement
for the cultivation of the
poppy or who may be employed
in the provision of opium
on account of Government,
or bargaining for the purchase
of opium with such cultivator
or person, or in any way
causing or encouraging such
cultivator or person to
embezzle or illegally dispose
of any opium, and any
Officer of the Opium Deptt.
conniving in any way at
the embezzlement or illegal
disposal of any opium, shall
be liable to a fine not
exceeding 500 Rupees.

16. Any person who
shall cultivate the poppy
without license from
the Amildar and any
person who shall in any
way cause or promote
such illegal cultivation
shall be liable to a fine

not exceeding 500 Rupees and the Poppy plants shall be destroyed, or if any Opium have been extracted from them shall be seized and confiscated. If the opium shall have been extracted and shall not be seized, the offender shall be liable to a further fine not exceeding the rate of 300 Rupees per acre of land illegally cultivated.—

17. All proprietors farmers or village officials shall give immediate information to the Police or to the Amildar, or to the Deputy Commissioner of all poppy which may be illegally cultivated and, if they knowingly neglect to give such information shall be liable to the penalties for illegal cultivation prescribed in the last preceding rule.—

"or" beegha is used in the act.

beegha is equal to 00 Sqre Yds

18. 5/ One half of all fines and penalties levied from persons convicted of offences under these rules together with a reward of one Rupee Eight Annas for each seer of Opium confiscated and declared by the Civil Surgeon to be fit for use, shall, upon adjudication of the case, be awarded to the Officer or Officers who apprehend the offender, and the other half of such fines and forfeitures together with a reward of one Rupee eight Annas for each seer of Opium confiscated shall be given to the informer. If in any case the fine or penalty is not realized, the Chief Comm may grant such reasonable reward not exceeding 200 Rupees as may seem to him fit.—

Manufacture

19. The Manufacture of Opium except for the Government, and the Manufacture of more than 3 tolahs weight of intoxicating drugs without a license from the Deputy Commissioner are prohibited.

Possession

20. Except as provided in rule 21.—

(i) No person shall have in his possession any opium other than Opium purchased from the Government or from a farmer or licensed Vendor.

(ii) No person not being a farmer, licensed Vendor or Medical practitioner shall have in his possession more than 3 tolahs of opium or intoxicating drugs, or more than 5 Seers of Poppy heads.

21. Rule 20 does not apply to:—

(i) Persons authorized to cultivate the Poppy, having

in their possession (a) newly extracted poppy juice during the usual period between the full growth of the poppy and the date fixed for the delivery of the produce to the Government; (b) poppy heads, for one month after the delivery of their opium to Govt.; (c) poppy heads containing seed for sowing from May to December inclusive.

(ii) Travellers and Visitors from His Majesty's Territory having in their possession any quantity of opium, or intoxicating drugs prepared therefrom, not exceeding 2 Seers in weight, intended for the personal use of such travellers and visitors or other attendants and not for sale or barter.

(iii) Foreign horse dealers entering the Mysore Province with their horses having in their possession opium produced

in foreign, or Her Majesty's territory or intoxicating drugs prepared therefrom limited to 10 tolahs weight per horse.

(iv) Opium, intoxicating drugs or poppy heads in transit covered by a pass under rule 23.

If opium or intoxicating drugs be found in possession of such traveller, visiter, or horse dealer, in excess of the authorized quantity such excess shall be liable to confiscation; but the persons in whose possession it may be found shall not be subject to any further penalty.—

22. The Dy. Commr. may grant to any Medical practitioner within his Distt. a license in Form No. I appended to these rules for the possession and retail of Opium and intoxicating drugs for Medical purposes

23. 41 The transport of opium, poppy heads or drugs from one district to another is forbidden except from Bangalore and Kolar. These articles may be exported from Bangalore and Kolar only into Her Majesty's or Foreign Territory. When a farmer or licensed Vendor desires to transport Opium, intoxicating drugs or poppy heads. in case (a) either from ~~Bangalore~~ Bangalore or Kolar into any other District.

(b) from one taluk to another taluk of the same Distt. when the taluks of a Distt. are farmed to different farmers he shall obtain a pass for each despatch in such form

Transport.

as the Chief Commissioner may from time to time prescribe,

in case (a) from the officer in charge of the Saddar Factory.

(b) from the Amildar of the Taluk,

from which as the case may be such opium, intoxicating drugs, or poppy heads are to be transported.

The pass shall specify.

(1). The name of the person in charge of the consignment

(2). The name of the consignee

(3). the no. of packages and the weight & contents of each.

(4). the destination of the consignment.

Each package shall be stamped in the presence of the officer granting the pass, with his official seal.

24. No such pass shall

be granted unless the person applying for it can produce a permission to apply for pass

(a) from the officer in charge of the Sudder ~~Distillery~~ Factory.

(b) from the Amildar of the taluk.

to which, as the case may be, the opium, intoxicating drugs or poppy heads are to be transported.

25. A copy of every transport pass granted shall be sent

in case (a) to the officer in charge of the Sudder Factory.

(b) to the Amildar of the taluk, to which as the case may be, the consignment is to be transported.

In case of goods transpo

into Ever Magistrate or [illegible]
Foreign Territory, the copy
shall be sent to the Amildar
or Sahasildar of the frontier
taluk.

26. The bulk of a consignment shall not be broken in transit.

27. The pass and packages shall on arrival be presented for examination.

in case (a) to the Officer in charge of the Suddar Factory.
(b) to the Amildar of the Taluk.

If after examination, such officer or Amildar concludes, that the packages have not been opened or tampered with in transit, if their No. is complete, and if they be found to be of the full weight specified in the pass (less an allowance for drossage in the case of opium and intoxicating drugs

of one quarter per cent).
the packages shall be allowed
to proceed the pass being
retained, by the Examining
Officer. Otherwise the packages
shall be detained pending the
orders of the Deputy Commissioner.

Import.

28. No person may import opium, intoxicating drugs, or poppy heads from Her Majesty's Territory.

Export from Bangalore and Kolar Districts.

29. When any person desires to export opium, intoxicating drugs, or poppy heads into any portion of Her Majesty's Territory he shall obtain a pass for each consignment, in such form as the Chief Commr. may, from time to time, prescribe, from the Dy. Commr. of the Distt. ~~from~~ ~~which~~ which such opium intoxicating drugs, or poppy heads are to be exported.

The pass shall specify
(i) the name of the person in

charge of the consign:
:ment.
(2) the name of the consignee,
(3) the no. of packages and the
weights and contents of each no.
(4) the distination of the con:
:signment.
Each package shall be
stamped, in the presence of
the officer granting the pass,
with his official seal.
30. The bulk of a consignment
covered by ~~so~~ such a pass shall
not be broken while in transit,
and any revenue officer, not
inferior in grade to an
Amildar, or any police
officer, not ~~in~~ inferior in grade
to an inspector, may at any
time, examine such consign:
:ment. If, after such examina:
:tion, the officer concludes that
the packages have not been
opened or tampered with in
transit, if their no. corresponds
with the no: specified, in the

pass, and if they be of the full weight specified in the pass (less an allowance for drayage in the case of opium and intoxicating drugs of one quarter per cent), the consignment shall be allowed to proceed. Otherwise, the consignment shall be detained pending the orders of the Deputy Commissioner by whom the pass was granted.

Wholesale.

31. Opium in quantities of not less than one seer, shall be supplied, on pre-payment at such rates as the Chief Commr. may, from time to time, prescribe by Notification in the Mysore Gazette from the Dy. Commrs. Office only, to the Amildar, licensed Vendor or Medical practitioner.

32. (1) No person shall retail opium, intoxicating drugs,

or poppy heads, except under a license from the Dy. Comm and in accordance with the conditions specified in the license.

(ii) The sale of any quantity not exceeding three tolahs of opium or intoxicating drugs, or 5 Seers of poppy-heads is a retail, and no larger quantities shall be sold, except to a licensed Vendor or medical practitioner, or under a special order from the Dy. Commissioner.

33. In taluks where the cultivation of the poppy is permitted, opium may be retailed, at such localities as the Deputy Commr. may from time to time determine only.

(a) by the Amildar.

(b) by persons specially authorized by the Chief Com. Applications for special authority to retail opium

at any such locality shall be made through the Commissioner of the Division.

34. In taluks where the cultivation of the poppy is prohibited, licenses for the retail of opium may be granted by the Dy. Commr. with the previous sanction of the Commr.

35. Opium shall not be retailed at any Government Office.

36. Licenses for the retail of opium shall be granted to the licensed Vendors in Form II.

37. Whenever the Deputy Commr. grants a license for the retail of opium or of intoxicating drugs, he shall demand such duty, and shall impose such conditions on the licensee over and above those specified in the license as may, from time to time, be prescribed by the Chief Commr.

38. Licenses for the retail of intoxicating drugs shall be granted by the Deputy Commrs. in Form III, and every person taking out such a license shall execute a counterpart engagement for the due performance of all the conditions expressed in the license and any additional conditions which may be imposed by the Dy. Commrs. under the directions of the Chief Commrs. and shall give such security for the performance of his engagement, or make such deposit in lieu of security as the Dy. Commrs. may require.

39. Licenses for retail shall be granted for one year only, unless the Chief Commrs. shall otherwise specifically direct.

40. With the sanction

of the Commissioner,
the Dy. Commr may let
in farm the duties leviable
on the retail of all or
any intoxicating drugs, for
a term not exceeding 2
years, and with the sanction
of the Chief Commr, for
a term not exceeding 5
years. The Chief Commr
may prescribe Rules (a)
for the invitation and acceptance
of tenders for such farms (b)
for the requisition of security
for the due fulfilment of
the engagements entered into by
the farmers, and (C) as to the
form and conditions of
such leases. Any breach of
such engagement shall render
the lease liable to annulment.

41. When the duties leviable
on any intoxicating drug are
let in farm, the farmer may
make his own engagements
for the manufacture and retail

thereof within the limits of his farm, provided that no opium except that supplied from the Dy. Commrs. Office shall be used in the manufacture of such drugs. All the penalties prescribed in the tenth and following Sections of the Opium Act, 1876 for the unlawful manufacture, sale, or possession of any such drug, shall be incurred by all persons manufacturing, selling, or possessing the same without license from the farmer.

42. Before entering into engagements for any such farm, the Deputy Commrs. may, with the sanction of the Commissioner, make such reservations or restrictions with respect to the grant of licenses by the farmer as he thinks fit.

Such licenses shall be granted in Form IV.

43. Every farmer shall fill in the Dy. Commrs. Office

in such form as may from time to time be prescribed by the Commissioner a list of all licenses granted by him.

44. With the sanction of the Chief Commr. obtained through the Commr., the Dy. Commr. may cancel any lease granted under Rule 40; or may, within the period of the lease, impose any new reservation or restriction on the farmer. If a lease be cancelled for any cause other than a breach of the conditions of the lease, or if any reservation or restriction with respect to the grant of licenses be imposed during the lease, the Chief Commr. may award to the farmer compensation for any loss thereby caused to him.

45. Arrears of duty due

from a licensed Vendor may be recovered by a farmer ~~in accordance with the rules prescribed for collection of revenue demand~~ by a suit in the Revenue Courts.

46. The Dy. Commissioner may grant licenses for the retail of poppy-heads or may farm the duties leviable on the retail of the same, on such terms as the Chief Commr. shall from time to time prescribe.

47. If any licensed Vendor or farmer shall have in his possession, on the expiry of his license or farm any opium, intoxicating drugs, or poppy-heads which he is unable to dispose of, to the satisfaction of the Dy. Commr., by private sale to other licensed Vendors, or farmers, he shall surrender the same to the Dy. Commr.; and the incoming licensed Vendor or

farmer, or, if the expired license or farm is not renewed, any licensed vendor or farmer within the district, when required by the Dy. Commr., shall be bound to purchase the articles aforesaid to the extent of 2 months' supply, at such price and in such quantities, as the Dy. Commr. shall adjudge, provided that the price of opium thus adjudged shall, in no case, exceed the rate at which it can be procured from the Government provided also that, if such articles be declared by the Surgeon to the Mysore Commission or any other Surgeon of the commission to be unfit for use, the Dy. Commr. shall cause them to be destroyed.

48. (1) Opium confiscated under the act shall be examined by a Surgeon the commission and, a

Disposal of things confiscated

declared by him to be fit for use, shall be sent to the Dy. Commr. If declared to be unfit for use, it shall be immediately destroyed.

(ii) Intoxicating drugs confiscated under the act shall be immediately destroyed provided that when any considerable quantity of Kafa is confiscated, the convicting Magistrate may, if he think proper, forward it to the Chemical Examiner for analysis and report.

(iii) Poppy-heads confiscated under the act shall be disposed of as the Deputy Commissioner of ~~If~~ the District in which the confiscation is made may direct.

Reward to be paid to officers and informers out of the proceeds of fines and confiscations under the Act.

49. Any Magistrate convicting an offender under section 10, or any Magistrate or other authorized officer ordering the confiscation of

57 poppies or opium under section 13 of the Opium Act 1876, is authorized to grant a reward not exceeding the value of the opium or poppies confiscated in the case, plus the amount of any fine imposed, in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the opium or poppies or the conviction of the offender.

Form 20.T.

Special License to Medical Practitioner under Rule 22

Special license granted to _____ following the profession of _____ at _____ in the District of _____ for the retail of opium, pure or mixed, on the condition that such opium shall be procured from the Dy. Comr's office or a licensed vendor, and shall be used bonâ fide as medicine or in medical preparations or prescriptions.

Dated

Dy. Commr. District

59

Form No II of Opium

License for Retail Vend (general)

Vide Rule 36.

Note counterpart of this will be signed by the license-holder and deposited in the Dy. Comr's Office.

distruct no of license in Register Name of Retailer Locality of Shop.

Be it known that ~~~ resident of ~~~ taluk ~~~ District is hereby authorized by the Dy. Comr. of ~~~ to sell opium by retail at ~~~ in ~~~ from the date of this license to the ~~ day of 18.. upon the following conditions.

I. That he will pay to Govt. a monthly tax of ~~~

II. That he will sell no opium but such as he may purchase from the Dy Comr's Office, and that he will not receive or have in his possession opium obtained otherwise.

III. That he will retail opium only in the shop for which this license is granted.

IV That, except to a medical practitioner holding a special license from the ~~~ Dy Com., he will

weight of opium to any person at one time.

E. That he will not adulterate the opium sold by him.

VI. That he will not receive any wearing apparel, or other goods, in barter for opium.

VII. That he will not open his shop, or make sales therein before Sunrise, that he will not keep it open, or make sales therein, after ~~~~, and that he will not harbour any person therein during the night.

VIII. That he will not permit persons of notoriously bad character to resort to his ~~shop~~ shop; that he will prevent gaming and disorderly conduct therein; and that he will give information to the nearest magistrate or Police Officer of any suspected persons who may resort to his shop—

IX. That he will have constantly fixed up, at the entrance of his shop, a Sign board bearing the following inscription, in legible characters

61

(Name of Vendor)

"Licensed to retail Opium

X That, if he buy less than _____ which is the quantity estimated to be retailed at _____ in each month, he will, if required, explain the reason of the falling-off to the Collector.-

XI That he will keep up daily an account in this form, showing the receipts and deliveries of opium at his shop each day, and the balance in store:—

Date	Quantity of Opium in Store from yesterday	Quantity of Opium received this day, and whence received	Total quantity to be accounted for.	Quantity sold this day.	Quantity left in store.

XII That he will produce, for inspection, on the demand of any Revenue Officer above the rank of Sheekdar, his license and accounts; and that he will not prevent any Revenue or Magisterial Officer, of whatever grade, from entering his shop at any hour of the day or night.

XIII If the holder of this license does not intend to renew it on the expiry of the period for which it is granted, he shall give notice to the Dy Com^r that he contemplates its surrender at least 15 days before the expiry of the period for which it is granted i.e., before the — day of — 18.

If such notice be not given or if this license be not recalled by the Dy Com^r ~~and~~ under the authority reserved to him in the next succeeding clause, this license, and any counterpart engagement for the due observance of these conditions that the license-holder may have entered into, shall remain in force as if this license and the engagement were formally renewed for a further term of one year, viz.,[7] to the — day of — 18.

XIV This license may be recalled by the Dy Com^r —

(a) for default of punctual payment of the tax or

6. duty stipulated to be paid in clause 1;

(b) for violation of any of the conditions specified in this license;

(c) if the holder of this license be convicted of breach of the peace or of any other criminal offence during the currency of this license.

Should the license be recalled for any of these causes, the license-holder will have no claim to any compensation whatever, or to any refund of any tax or instalment of tax already paid. But it shall be in the discretion of the Dy/Com. to make such compensation or refund should he consider it necessary or advisable to do so.

Should the Dy/Com. desire to recall this license before the expiry of the period for which it has been granted for any cause other than those above specified, (a), (b) and (c), he shall give 15 days' previous notice and remit a sum equal to the duty for 15 days, or, if notice be not given, shall make such further compensation

in default of notice, as the Govt. may direct.

XV. This license may be surrendered by the license-holder on his giving one months notice to the Dy Govt., and paying such fine not exceeding the amount of the duty for 6 months, or the loss caused to Govt by the failure to carry out any condition imposed, as the Dy Govt. may adjudge.

Should the Govt be satisfied that the reason for resigning the license is adequate, he may, with the sanction of the Govt, remit the fine.

XVI On the infringement of any of the Articles or of any of the conditions imposed by The Opium Act 1878 or by the Rules framed thereunder, this license and any other license or licenses that the holder may have obtained for the sale of opium, or for the manufacture or sale of Madak or Chandu, will be forfeited; he will also be liable to the punishment prescribed by law for the offence thereby committed.

License for the Retail Sale of Madak or of Chandu vide Rule 38.

Note.
Counterpart of this will be signed by the license-holder and deposited in the Collector's Dy. Com's Office.

District.
No. in Register
Name of Vendor
Locality of Shop.

Be it known that —— resi
of —— taluk, ——
District of —— is au
rized by the Dy. Com'r. of ——
to open a shop for the retail ve
of madak (or Chandu, as the ca
may be,) at —— from t
date of this license to the —
18 , upon the following condi

I. That he will pay to Govt. a
monthly tax of ——

II. That he will purchase al
the opium he may use in the
manufacture of madak (o
Chandu) fr. , as the case ma
be,) direct from the Dy. Com'r
Office and not from any opi
vendor.

III. That he will sell madak
(or Chandu) only, in the shop
for which this license is gran
and that he will not sell
Madak (or Chandu) in an
other place.

IV. That he will not sell
more than 3 tolas' weight
of madak (or Chandu) to

v. That he will not receive any wearing apparel or other goods in barter for the drug.

vi. That he will not open his shop, or make sales therein before sunrise, that he will not keep it open, or make sales therein, after sunset, and that he will not harbour any suspected person therein.

vii That he will not permit persons of notoriously bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein; and that he will give information to the nearest magistrate or Police Officer of any suspected person who may resort to his shop.

viii That he will have constantly fixed up, at the entrance of his shop, a sign-board bearing the following inscription, in the Vernacular language of the country.

Name of Vendor.

Licensed Vendor of Madak (or Chandu)

4th. That he will keep up daily the following account, showing the receipts of opium in his shop, the quantity used in the manufacture of Madak (or Chandu), and the balance remaining in store at the end of the day.

1. Opium.

Date	Quantity of Opium remaining in Store yesterday	Quantity received today, and whence rec'd	Total opium to be accounted for- Sr.	Opium used in the preparation of madak (or chandu)	Quantity remaining in Store
1	2	3	4	5	6

2. Madak or Chandu.

Date	Quantity remaining in store yesterday	Quantity manufactured out of opium today-	Total quantity of madak or Chandu to be accounted for.	Madak or Chandu sold today	Quantity remaining in Store this day
1	2	3	4	5	6

5th. That he will produce at once for inspection on the demand of any Rev[e] Off[r] above the rank of Shekdar, his license and accounts, and that he will not prevent any Rev[e] or Magisterial officer, of whatever grade, from

from entering his shop
at any hour of the day or night

xi If the holder of this license
does not intend to renew it
on the expiry of the period
for which it is granted, he
shall give notice to the Dy
Com. that he contemplates
its surrender, at least 15
days before the expiry of the
term for which it is granted,
i.e., before the day of 18
If such notice be not given
or if this license be not
recalled by the Dy Com. and
the authority reserved to him
in the next succeeding clau
this license, and any counterpar
engagement for the due observa
of these conditions that the licens
holder may have entered int
shall remain in force as if
this license and the engagem
were formally renewed
for a further term of one yea
viz., to the in day of — 18

xii This license may be
recalled by the Dy Com. —
(a) for default of punctual
payment of the tax or duty
stipulated to be paid in
clause 1;
(b) for violation of any of t
conditions specified in this
license; (c)

c) 69 if the holder of this license be convicted, of breach of the peace or of any other criminal offence during the currency of this license

Should the license be recalled for any of these causes, the license-holder will have no claim to any compensation whatever, or to any refund of any tax or instalment of tax already paid. But it shall be in the discretion of the Dy Com. to make such compensation or refund should he consider it necessary or advisable to do so.

Should the Dy. Com. desire to recall this license before the expiry of the period for which it has been granted for any cause other than those above specified, (a), (b) and (c), he shall give 15 days' previous notice and remit a sum equal to the duty for 15 days, or, if notice be not given, shall make such further compensation in default of notice as the Com may direct.

XIII This license may be surrendered by the license-holder on his giving one month's previous notice to the Dy Com., and paying such fine not exceeding the amount of the

loss caused to Govt. by the failure to carry out any condition imposed as the Dy Comr. may adjudge -

Should the D Comr. be satisfied that the condition for resigning the license is adequate, he may with the sanction of the Comr. remit the fine.

XIV On the infringement of any of the above Articles or any of the conditions imposed by The Opium Act 1876, or by the Rules framed thereunder, this license and any other license or licenses that the holder may have obtained for the sale of opium, or for the manufacture or sale of Madak or Chandu, will be forfeited, he will also be liable to the punishment prescribed by law for the Specific Offence committed -

Form No II

License for the Retail Sale of Madak or of Chandu Vide Rule L 7

District
No in Register
Name of Vendor
Locality of Shop-

store.

Counterpart of this will be signed by the license holder & deposited in the ~~Collectors~~ Salt Comm's Office.

Be it known that ~~~~~ resident of ~~~~~ taluk ~~~~~ District of ~~~~~ is authorized by ~~~~~ the farmer of ~~~~~ to open a shop for the retail vend of madak (or Chandu, as the case may be,) at ~~~~~ from the date of this license to the 18 , on the following conditions:-

I. That he will pay to ~~the farmer~~ the farmer ~~~~~ a monthly tax of ~~

II That he will purchase all the opium he may use in the manufacture of Madak (or Chandu, &c., as the case may be,) direct from the farmer ~~~~~ and not from any opium vendor.

III. That he will sell madak (or Chandu) only in the shop

IV. That he will not sell more than 3 tolas' weight Madak (or Chandu) to one person at one time.

V. That he will not receive any wearing apparel or other goods in barter for the drug.

VI That he will not open his shop or make sales there before Sunrise, that he will not keep it open after ~~~~~, and that he will not harbour any suspected person therein.

VII That he will not permit persons notoriously of bad character to resort to his shop; that he will prevent gaming and disorderly conduct therein; and that he will give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.

VIII That he will have constantly fixed up, at the entrance of his shop, a sign-board bearing the following inscription in the vernacular language of the country.

(Name of vendor)

Licensed Vendor of Madak

(ol &c.)

IX]3 That he will keep up daily the following account, showing the receipts of opium in his shop, the quantity used in the manufacture of ~~~~~, and the balance remaining in store at the end of the day:—

1. Opium.

Date	Quantity of Opium remaining in store yesterday	Quantity received today, and whence received	Total Opium to be accounted for.	Opium used in the preparation of madak (or chandú)	Quantity remaining in store
1	2	3	4	5	6

2. Madak or Chandú.

Date	Quantity remaining in store yesterday	Quantity manufactured out of Opium today.	Total quantity of madak or Chandu to be accounted for.	madak or chandú sold today	Quantity remaining in store this day.
1	2	3	4	5	6.

X That he will produce at once, for inspection on the demand of any Revue Officer above the rank of Shekdar, his license and accounts; and that he will not prevent any Revue or Magisterial Officer of whatever grade, from

entering his shop at any hour
of the day or night -

XI. This license may be
recalled by the Farmer :—

(a) for default of punctual
payment of the tax or duty
stipulated to be paid in clause
and by the Farmer or Syndicate ;

(b) for violation of any of the
conditions specified in this
license ;

(c) if the holder of this license
be convicted of breach of the
peace or of any other criminal
offence during the currency of
this license.

XII On the infringement of any
of the above Articles or of any of the con-
ditions imposed by the Opium
Act, 1878, or by the Rules framed
thereunder, this license and any
other license or licenses that
the holder may have taken out
for the Sale of opium, or for the
manufacture or Sale of Madak
or Chandu, will be forfeited
he will also be liable to the
punishment prescribed by
law for the specific offence
committed.

License for the Cultivation of Poppy.

D. (Vide para: 4 of the Rules).

District
No. in Regr.
Name of Cultivator
Locality { Taluk / Hobli / Village
Field No.
Extent:
Assessment.

Be it known that ——— resident of ——— taluk ——— district of ——— is authorized by the Dy Comr. of ——— to carry on Poppy Cultivation in the locality specified above, from the date of this license to the ——— 18, upon the following conditions.

1. That this license is not transferable by sale, gift, mortgage or otherwise, and no other persons than those mentioned in the license shall have power to act under this license.

2. That the license-holder is prohibited from cultivating

Poppy in fields other than those specified in this license -if

iv That he is prevented upon any civil from carrying on such cultivation, this license shall be returned to Govt.

v. That he should simply intimate to the Patel of the village of the quantity of Poppy yielded, and dispose of it as he chooses; and that all opium produced shall be handed over to the Amildar of the Taluk and the following receipt obtained. No opium should on no account be sold to any body.

Date	Name of person delivering the opium	Quantity of opium delivered		Class	Signature of receiving officer	Valuation fixed by Govt.	Date of part of such valuation	Signature of disbursing officer.
		In seers of 80 tolas weight	Tolas					

vi That he shall not sell or transfer more than 5 seers of Poppy-heads under any pretence whatever except with the sanction of Govt.; and shall reserve for himself only such quantity as will be required for the

next years sowing.

vii. That he shall receive from Govt the value of opium handed over by him at the rates prescribed by Govt.

viii. On the infringement of any of the above Articles this license will be forfeited, he will also be liable to the punishment prescribed in Section 14 of the by ~~Laws for the Specific~~ Rules.

J 78

1878. 0999.

SECTION S. R

FILE No. 1 of 75-76

SERIAL No. 11

From Financial Departt
Amiles.

To Chief Commr:

(10)

Dated 23rd June

Despatched

Received 28th June

Regd

Enclosures No.

General No.

No.

Letter 22nd Febr
1878 about opium Rules
Enquires whether he
concurs with Dr Lamb
does in his proposal
to abolish opium cul-
tivation & manufacture
within his boundaries

The letter & this
telegram refer, together
with the papers connected
therewith, is herewith submitted

10/6/78

TRAFFIC CODE FORM C1.

INDIAN TELEGRAPH.

11

Local No. 84.

(Station) Mysore

From (Station) Simla

Wo 31/8

Time tendered for transmission. (Madras time.) Day. 8 H. 17- M. 42.

Official Instructions.—

(Person) Chief Commissioner

From (Person) Financial.

1 Your	2 letter	3 dated
4 22nd	5 February	6 1878
7 about	8 opium	9 rules
10 do	11 (not yours)	12 concur
13 with	14 Mr	15 Saunders
16 in	17 his	18 proposal
19 to	20 abolish	21 opium
22 Cultivation	23 and	24 manufactur
25 entirely	26 within	27 Mysore
28	29	30
31	32	33
34	35	36

RCD. FROM _____ (L. L.)

_____ H. _____ M., on the _____

_____

_____

Sent to _____ (L. L.)

At _____ H. _____ M., on the _____

By _____

_____ Telegraph M.

MYSORE 8-3-78

 Govt. Typ. Press.—No. 1200,—20-4-77,—1000000.

80

1878. No. 6.

SECTION S. R.

FILE-No. 1067576

SER'AL No. 12

From Secretary to Chief Commr. of Mysore.

To Financial Dept.

Sir,

Dated Mysore 13th June

Despatched

Received Regd. 15th. June/78

Enclosures No. Nil

~~General~~ No. 69.

No.

I am directed to tel: / 8th Inst:, signals that the Chief Comr. considers prohibition & cultivation of Indian objectionable.

Vide Coorg

INDIAN TELEGRAM. (12

To (Station) Simla

To (Name) Financial

Dated Camp Alipore June 187 8.

Your telegram of 8th instant
Chief Commissioner Consider
- prohibition of cultivation
of opium Objectionable, -
manufacture may pro-
-perly be prohibited. - Cul
-tivation and manufac
-ture extremely small. - Hyper
-pism of Act to Province
not really necessary.

Secretary

1878. 01249.

32

From Secy. to Govt. of India, Foreign Dept.

13

SECTION S. R.

FILE No. 1 of 75-76

SERIAL No. 13.

To Ch. Commr.

Dated 24 June 1878.

Despatched

Received 25 June 1878.

Enclosures No.

General No. 1878.

No.

Telegram - "Your telegram to Financial, thirteenth. Explain to Financial Department your views in detail by letter."

FORM C1.

Class. Ord.

INDIAN TELEGRAPH.

82

To (Station) Bangalore

From (Station) Simla

Words. 19

Time tendered for transmission. (Madras time.) Day. 24 H. 19 M. 20

Official Instructions. 12

To Person) Chf. Comn.

From (Person) Foreign

1 Your	2 telegram	3 to
4 financial	5 thirteenth,	6 expi
7 to	8 financial	9 depa
10 your	11 News	12 Inc
13 detail	14 by	15 letter

(L. L.)

M., on the

ALORE 24-6-78

Govt. Tel. Press,—No. 1105,—1-2-78,—1000000.

Sent to

At H. M., on the

By

Te

SECTION S. R

FILE No. 1067 5-76

SERIAL No. 14

From

To The Secy. to the Govt. of Indi
Financial Dept.
Simla

No. 16.

Dated Bangalore 21st August

Despatched —→ 22 Do

Received 24th Do

Enclosures No. / Statement

General No. 4011

No. 79

Communicates the
Chief Comm.rs views on the
subject of the extension of
the Opium Act of 1876 to
the Province of Mysore.

No. 4011
19

M & C Office
Bangalore 21 Aug.

(15) (14)

Immediate

Simla

In compliance with the request conveyed in your Dep Telegram dated 24 Inst., desiring that the opinions of the Telegram of 13 Idem (copy marginally herein) of Government of India may be furnished in the subject of the extension of the Opium Act of 1878 (now repealed by Act I of 1879) to the Provinces, I am to forward to the Govt of India Financial Dept, and am directed to submit the following remarks.

First, with regard to the encouragement or otherwise of the cultivation of the poppy opium in the Province, the Captain Vans desires to express a difference showing the relative areas under poppy cultivation for 10 years from 1867-68 to 1876-77. It will be observed from this that the opium cultivation area of Canara has steadily decreased from 717 acres in 1871-72 to 49 acres in 1876-77. The Captain considers that the circumstances are due to the extra profit obtained from the poppy, and that the cultivation

The Capsicum which is called Guinea pepper
in England & Indian Kidney - The
Capsicum is the most valuable
article we can raise but would
require ~~to be~~ help stimulate to produce
the cultivation of this plant, in
spite of the clear evidence afforded
by the returns that it cannot, as
States above, compete with foreign
produce; and though he cannot
advocate the Saccharine proposal
I submit such cultivation altogether
be calculated to double these
~~duties~~ if no reduction are
placed on the importation of this
foreign commodity from abroad,
their cultivation will remain as
limited as it at present, being
confined probably to the growth
of the plant in ~~the~~ back yards or in
garden
small patches ~~of garden~~, &
such talent as is made of
medicinal use.
The Capsicum has no ~~peculiar~~ superior
in the extent of which grows
a manufacture locally, of
a stale, but he considers that
a premium ~~for exportation~~ ~~of~~
~~should be given~~ but no bond...
required such as the manufacture
of opium be in the drugs of which
it is composed, where the capsicum
should be available for medicinal
use, & a prohibition might
placed on the manufacture

In the subject of the Adoption of
the provisions of the Opium Act,
the Govt does not think
it has under the circumstances
of the present time, the introduction
of measures for regulating the
importation and sale of Opium
in this province; the object being
to place the latest view of the
subject under close supervision
has ~~obtained~~ been sought; and
this is the reason why I duly
reported to the Govt of India.
At the same time, the Govt cannot
but greatly deprecate the
present state of things by
the Notification in the Official Gazette
No 10306 of 22 Dec last, the
introduction of an Elaborate
Opium Dept or Agency
which seems to be no
longer necessary
whatever
such as it was contemplated
by the Draft Rules prepared
under the former instructions of
the Govt of India, a formidable
increase over the Police above
quoted

J 1/8 DG 15/8

Statement shewing the extent of cultivation of Coffee in the Province of Mysore.

14a

District	Taluks	Years	Coffee cultivation. Extent of land cultivated A. G. P.	Assessment. Rate per acre. From Rs. A. P.	To Rs. a. P.	Assessment Rs. a. P.	Sayar duty on coffee at 20 per cent Rs. a. P.
Bangalore	Hosakota.	1871-72	142 9 20	" 4 9	13 2 9	797 4 6	1850 1 10
		1872-73	191 25 21	4 3 9	21 5 5	902 6 9	1342 7 10
		1873-74	118 4 6	" 8 "	21 5 5	883 9 3	952 " 1
		1874-75	46 12 "	4 12 6	17 7 "	708 11 2	674 13 4
		1875-76	45 30 78	4 " "	17 7 6	372 5 "	336 2 3
		1876-77	37 6 14	4 14 "	12 12 9	263 9 6	100 12 "
			average rate of assessment for 1876-77 per acre Rupees 5.				
	Devanhully	1871-72	182 17 63	" 9 4	11 2 7	687 9 1	2067 8 8
		1872-73	163 3 100	5 10 11	11 3 11	959 6 4	1565 8 4
		1873-74	120 8 14	2 13 6	13 13 6	708 2 "	1638 12 3
		1874-75	66 8 58	2 13 6	13 3 6	767 " 1	988 11 3
		1875-76	14 1 63	2 13 6	13 3 6	94 15 "	304 " 3
		1876-77	" " "	" " "	" " "	" " "	120 5 "
			average rate of assessment for 1876-77 per acre Rupees 3. 7.				
	Doddaballapoora.	1871-72	6 8 21	1 1 6	11 3 6	30 " 2	9 5 9
		1872-73	7 19 80	8 7 "	8 7 "	62 14 6	19 " 4
		1873-74	5 4 "	8 7 "	9 7 "	45 3 6	19 14 6
		1874-75	5 4 "	8 7 "	9 1 4	45 3 6	14 9 "
		1875-76	" " "	" " "	" " "	" " "	" " "
		1876-77	" " "	" " "			

Bangalore

District	Year															
Magadi	1871-72	"	1	99	"	"	"	"	"	"	"	"	"	"	"	"
	1872-73	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1873-74	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1874-75	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1875-76	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1876-77	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	average selling rate for 1876-77 per ... Rs													8	5	8
Surjapoora	1871-72	"	8	45	"	11	8	3	8	5	2	"	11	15	3	10
	1872-73	2	10	23	3	8	5	20	3	5	15	14	"	16	5	9
	1873-74	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1874-75	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1875-76	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	1876-77	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	average selling rate for 1876-77 per ... Rs													"	"	"
Anekul	1872-73	"	28	30	5	10	5	7	1	"	4	5	8	"	"	"
	1873-74	1	32	12	"	11	8	21	2	7	18	11	7	5	3	8
	1874-75	1	5	1	4	13	6	8	13	"	9	5	7	2	4	"
	1875-76	"	"	"	"	"	"	"	"	"	"	"	"	"	7	6
	1876-77	"	"	"	"	"	"	"	"	"	"	"	"	1	15	6
	average selling rate for 1876-77 per ... Rs a p													6	2	8
Bangalore	1872-73	"	14	107	4	8	"	20	"	"	4	1	11	4	1	3
	1873-74	"	,	10	4	8	"	20	"	"	2	12	"	9	15	4
	1874-75	"	"	"	"	"	"	"	"	"	"	"	"	1	3	3
	1875-76	"	"	"	"	"	"	"	"	"	"	"	"	5	1	10
	1876-77	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"
	average selling rate for 1876-77 per ... Rs a p													6	8	"
Nelamangala	1872.73	"	"	"	"	"	"	"	"	"	"	"	"	"	2	5

Kombuldeniya.

1873-74	"	"	"	"	"	"	"	"	"	"	"	"	"	1	4	-

Siddhakatta.

Average selling rate for 1876-77 per cwt.															cwt. 6	"
1871-72	209	11	62	3	"	4	31	12	2	2019	5	11	3298	5	11	
1872-73	123	9	91	3	"	4	31	12	2	1251	10	11	1596	6	4	
1873-74	138	12	96	3	"	4	32	12	2	1385	8	6	1431	5	6	
1874-75	68	5	118	3	"	4	32	12	2	863	5	3	684	"	7	
1875-76	28	20	115	3	"	4	30	1	7	331	3	6	476	6	7	
1876-77	8	"	"	3	5	"	23	1	9	74	"	"	465	10	4	
Average selling rate for 1876-77 per cwt.													Rs. 6	3	7	

Chilaw Kalapura.

1871-72	146	33	119	3	4	5	16	5	4	969	12	3	1626	"	3	
1872-73	68	13	25	3	4	5	16	5	4	600	6	10	1992	2	6	
1873-74	102	2	28	3	4	5	16	5	4	873	11	5	1369	2	7	
1874-75	112	36	64	3	4	5	16	5	4	999	"	7	1053	2	4	
1875-76	81	13	36	3	"	4	14	8	3	737	14	2	756	3	2	
1876-77	1	30	119	7	1	"	11	4	10	13	4	"	461	14	8	
Average selling rate for 1876-77 per cwt.													Rs. 3	9	4	

Malwa.

1871-72	28	7	70	5	"	8	8	7	6	205	14	"	369	5	3	
1872-73	19	1	94	5	"	8	8	7	6	156	4	1	381	"	9	
1873-74	6	16	53	5	"	8	8	7	6	60	8	"	186	"	7	
1874-75	6	16	24	5	"	8	9	10	10	60	8	"	9	9	10	
1875-76	3	3	117	5	11	6	9	10	10	22	8	"	55	10	5	
1876-77	2	"	"	5	10	5	9	11	"	15	5	5	16	3	4	
Average selling rate for 1876-77 per cwt.													Rs. 5	15	8	

Ambagaeduwa.

1871-72	"	"	"	"	"	"	"	"	"	"	"	"	4	5	2	
1872-73	"	14	56	3	6	10	11	4	8	2	4	11	"	"	-	
Average selling rate for 1876-77 per cwt.													Rs. "	"	"	
1873-74	"	6	24	3	6	10	11	4	8	"	15	11	"	11	4	
1874-75	"	"	"	"	"	"	"	"	"	"	"	"	"	4	3	
1875-76	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	
1876-77	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Average selling rate for 1876-77 per cwt.													Rs. "	"	"	

Kuruwitaeda/poora.

Skólar

Guðlaugur Hólar

1872–73

1873–74

1873–74.

1874–75.

SECTION S. R

FILE No. 1 of 75-76

SERIAL No. 15

1878. O. 331

From Secy. to Govt. of India, Foreign Dept

To Ch. Commr. of Mysore.

Dated 19 October 1878.

Despatched

Received 28 - - -

Enclosures No.

General No. } 1878.
No. 8918. }

Re the subject of opium cultivation in this Province.

To the same No 7329 / 114

No. 89 R.

15

From

The Secretary to the
Government of India

To

The Chief Commissioner
of Mysore

Foreign Dept
Revenue

Dated Simla, the 19th October 1878

Sir

I am directed to acknowledge your Secretary's letter No. 4011/19 dated 21st August 1878, communicating your views on the proposed extension of the opium Act to Mysore.

2. You are opposed to any directions prohibiting the

cultivation

cultivation of the poppy, but are willing to suppress the manufacture of opium. You consider that if the import of foreign opium be unrestricted, which is greatly superior to the local product, there is little chance of the cultivation of the poppy extending; and you have under consideration rules for regulating the import and sale of opium in Mysore, so as to place the retail vend of the article under closer supervision.

3. In reply, I am to ask you

to have the kindness to set
forth rather more in detail
the nature of your objection
against prohibiting cultivation
If it is meant that to enforce
such a prohibition an
inquisitive excise establishment
would be needed, then I am
to inquire whether the prohibi
-tion of manufacture, which
has your assent, would not
equally require such an
establishment. The Government
of India attach great importance
to the repression of the growth

of the poppy in Mysore, and there are doubts whether suppression would not be easier to carry out, and less inconvenient both to the administration and to the people, than repression within certain narrow limits. If restrictions are placed, as the remarks in your 5th paragraph would seem to indicate, on import, cultivation will immediately spread and if cultivation be permitted, it will be difficult to prevent surreptitious manufacture, though

possibly your view is that the superior manipulation of the drug required for the export trade, can be stopped. Yet considerable quantities of opium are likely to be smuggled for local consumption into Madras.

4. Upon these considerations the Government of India would be glad to know whether you could not arrange to prohibit open field cultivation, ~~and to~~ provided that a few patches in gardens

gardens would not be

noticed.

I have the honor to be,

Sir,

Your most obedt servant,

A Chydde

Secretary to the

Government of India.

SECTION J.R

FILE No. 1075-76

SERIAL No. 16

1878. No. 138

17

The Secy: to the Govt. of India
Foreign Deptt.

18

Dated Bangalore, 9th December

Despatched " " Do.

Received Pol. 9th Jany/79.

Enclosures No. 1

General No. 7329

No. 114 R

Submits certain observations relative to the measures under consideration for regulating the manufacture & sale of Opium in this Province.

Ans 10/1

Bangalore 9th Dec 78

No 7329

(17)

To Secy

I am desired by the Captain Superintendent to forward herewith for the subject of your letter No 894 R of 19 Oct. relative to measures under consideration in this Province for regulating the manufacture and sale of Opium in this Province.

In my letter No 4011 of 21 Aug last, after perusing the Govt decision which has taken place of late years in the Districts where cultivation of the Poppy, - a decision which appeared inevitable from the inability of the local produce to compete with that imported from other Provinces, the Superintendent Captain Cameron remarked that they were unable to recommend the suppression of the Poppy cultivation altogether, but were sensible of the expediency of adopting such measures which would gradually lead to the eventual suppression of the cultivation - & he considered

on the import of the manufactured
article, his competition of foreign
produce would continue to operate
as it has done, in diminishing local production
the objections he felt to prohibiting
the cultivation altogether, ~~as proposed by~~
~~the Bill~~ founded on his belief
that the profits of the planters were
to certain limited extent necessary
to reconcile them to the domestic
Improvement of the population
who use the leaves of the plant
for medicinal purposes.
The measures ~~which the Legislature has adopted~~
which Mr Gordon has in view, are
designed, so far as they
place any additional restraint on
unauthorized growth. The article
already pays a duty of ~~[illegible]~~
of 20 per cent ad valorem,
whether imported or locally
produced, and it is not
proposed to enhance that rate.
The object in view is to control
the kind, which, being now in
the hands of monopolists
contractors, is subject to no
efficient check. For this
purpose it is intended
to restrict the sale of green and
dried manufactured Drugs
to certain specified localities,

*) These measures,
usually adopted in
systems, are specially
in the present case,
the more effectually
the illicit manufacture
be grown opium, in
of the cultivation of
remaining unre-
W. Gordon believes
the manufacture of
prohibited, a thereby
inducement for the
or removed, the
now, already unprofi-
an extent, with of itself
be hopeful to be made
seeds being but

and bound by regulations, as to
the case of arrack & toddy shops,
which are intended to prevent any abuses
of this public purpose & establishes
a ~~[illegible]~~ deposit at
each Station for the ~~[illegible]~~
which all ~~[illegible]~~ manufactured opium shall
be brought in the first instance &
delivered into the proper custody,
part of duty, and under permit,
for distribution to the licensed
Vendors. Such measures as
experience shall point out, and this
chief object in view, the security
of the revenue, will be adopted
under the general rule of duty allotted
to the collection of the Government
on an article which under the
present system, is believed,
evaded the payment of duty altogether.
They will however not interfere
with the ~~[illegible]~~ of any special or
European agency, as any
such supervision as will be required
~~[illegible]~~ over the licensed
Vendors, to whom alone the
comparatively few, can be
readily known or the Police
authorities, will be aid of the
Police.

*4. From what has been said, it
will be apparent that no
extension of cultivation can
be anticipated. The Assistant

*

prevailing in Malwa manufacture
of home-grown opium, and
in view of the local importance
which, as Executive Govt,
Govt of India attach to the
entire repression of the growth
of the plant in Travancore, the
Chief Comm is prepared & carry
out the ~~wishes~~ suggestion here
to open field cultivation
permitted, except in small
patches in gardens & backyards.

6. ~~It~~ The Chief Comm will keep in view
of any general modification
pending in regard of the
general orders of the Govt of India
on the subject.

G.D. for perusal
6/12

+ however, of the great importance ..... of the Govt. of India to the repression of the growth of the plant the Chief Comm: is quite prepared to carry out the suggestion to prohibit not only the manufacture, but also the open field cultivation, of the plant, except in small patches in gardens & backyards. In this case it may be expedient to remove the duty, & leave the trade in the imported opium unrestricted, high excised as it is already at the place of manufacture. The import duty at present collected on it in this Province is very insignificant in amount, varying from 1000 Rs to 3000 Rs per annum. The collection of the duty on an article of such small bulk is easily evaded, and above all its consumption

SECTION S. R.

FILE No. 10675-76

SERIAL No. 17

From

To

187 No. 116

The Secretary to the Govt. of India Fin.ce dep.t

The Chief Commissioner of Mysore.

Dated 8th March 1879.

Despatched

Received 2nd July 1879.

Enclosures No.

General No. 1098.

No.

Acknowledges receipt of letter No. 7329/114R dt.d 9th Dec.r 1878 addressed to the Foreign dep.t regarding the proposed extension of the Opium Act (I of 1878) to Mysore.

No. 1098.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

REVENUE.
Separate Revenue.

To

THE CHIEF COMMISSIONER OF MYSORE.

Fort William, the 8th March 1879.

SIR,

I AM directed to acknowledge the receipt of your letter addressed to the Foreign Department, No. $\frac{7329}{114}$ R, dated 9th December 1878, regarding the proposed extension of the Opium Act (I of 1878) to Mysore.

2. In the 5th paragraph of your letter you state that you are prepared to prohibit the cultivation of the poppy "except in small patches in gardens and backyards." You further remark that if cultivation of the poppy in open fields, and the manufacture of opium, are prohibited, the import duty on opium should be removed, as the revenue therefrom is very insignificant, and that import be unrestricted; also that, as opium is used chiefly for medicinal purposes, restrictions on its sale are attended with needless inconvenience to the public.

3. In reply, I am directed to explain that the principal object which it is desired to effect by the introduction of the Opium Act, and a system of taxing opium into Mysore, is the prevention of opium smuggling into the Madras Presidency, where it is proposed for the future to tax the consumption of opium.

4. To attain this end, it is necessary not only to prevent the export of opium locally produced, but also to introduce, under the provisions of Section 5 of the Opium Act, some system which will prevent the export into Madras of opium imported from abroad into Mysore.

5. Having regard to the geographical relation between Mysore and the Madras Presidency, it is obviously desirable, in the interests of both Provinces, that the systems to be introduced should be similar. It is proposed by the Government of India to absolutely prohibit opium cultivation and manufacture in Madras, and to move the Government of Madras to introduce the Government monopoly system of supplying opium for home consumption, as soon as arrangements are made for preventing the import of opium into that Presidency through His Highness the Nizam's territory.

6. As the Government monopoly system will probably be the most profitable, and as the sources of opium production are far distant, there is little doubt but that this system will recommend itself to the Government of Madras. The adoption of the same system by the Mysore Administration will tend to equalise prices in the two Provinces, and thus to secure to each the full amount of legitimate revenue on home consumption.

7. With these explanatory remarks I am to suggest that the main features of the system to be introduced into Mysore should be as follows:—

(1.) That the cultivation of the poppy in open fields and the manufacture of opium should be absolutely prohibited.

(2.) That the cultivation of the poppy for medicinal and domestic purposes in gardens and backyards should be permitted under license only, the area in each case being limited to what local experience may decide to be sufficient. Endeavours to extend even such cultivation should be firmly resisted, as the profits of illicit

sale in Mysore, or from smuggling into the Madras districts, will be very high after the introduction of opium taxation. A heavy fee on the licenses will probably be found necessary in any case, but the Governor Geueral in Council thinks that you may very possibly find it expedient to prohibit cultivation, even limited as proposed in your letter of the 9th December.

(3). That no opium shall be imported into Mysore except on account of Government, and that the export of opium shall be absolutely prohibited.

(4). That the transport, possession and retail sale of opium shall be licensed.

(5). That the Mysore Administration shall fix periodically, in communication with the Government of Madras, the selling price of opium from Government to the farmers and licensed vendors at the same price as that charged, under the same circumstances, in Madras. For the present, and until the completion of the arrangements for Madras, the selling price charged in Bombay must determine the price in Mysore.

(6). That licenses to retail opium will eventually be sold by auction, but for the first few years a fixed fee to be settled by you might be charged in order to allow the system to mature and the profits to be ascertained by the dealers.

8. If you accept these proposals, or the effect of them, the Government of India will undertake to arrange for the supply of opium for consumption in Mysore through the Agent Governor General in Central India or Rajputana, who will be instructed to comply with your indents at cost price. No excise or transit duty will be charged by the British Government on the opium so purchased for consumption in Mysore. To avoid, however, the risk of injury to the British revenue, the Government of India reserves full power to limit, if necessary, the quantity of opium to be supplied for consumption in Mysore. An estimate of the probable requirements for Mysore consumption under the proposed arrangements should be prepared in case you accept these proposals.

9. With these remarks I am directed to forward copies of the Rules sanctioned under sections 5 and 13 of the Opium Act for British Burmah and Assam and to express a hope that, in the event of the proposals now submitted meeting with your approval, you will be able to frame the Rules of Mysore as far in conformity with the Rules for British Burmah or Assam as may be possible.

I have the honor to be,

SIR,

Your most obedient Servant,

Secretary to the Government of India

R. B. Chapman

Copy forwarded to the Government of Madras for information.

Enclosure to 9619.

BRITISH BURMAH OPIUM RULES.

In exercise of the powers conferred by Sections 5 and 13 of the "Opium Act, 1878," the Chief Commissioner has made the following Rules, which have received the sanction of the Governor General in Council, and are now published as required by the Act. They apply to the whole of the territories administered by the Chief Commissioner of British Burmah.

Interpretation-clause.

I.—In these Rules, unless there be something repugnant in the subject or context—

1. "Chief Commissioner" means the Chief Commissioner of British Burmah.
2. "Commissioner" means the Commissioner of Revenue for the Division.
3. "Collector" means any Revenue Officer in independent charge of a District, or any person specially authorised by the Chief Commissioner to exercise all or any of the powers of a Collector under these Rules.
4. "Farmer" means a person who has obtained from the Collector under Rule XVII a farm of the duties leviable on the sale of opium by retail.
5. "Licensed vendor" means a person who has obtained a license for the sale of opium by retail under Rule XIII or XIX, and for poppy-heads under Rule XVI.
6. "The sale of opium by retail" means the sale of any quantity of opium not exceeding three tolahs, or of poppy-heads not exceeding five seers. Any other sale is a wholesale sale.
7. "Medical practitioner" means a person to whom a special license has been granted under Rule V.
8. The word "opium" has the meaning assigned to it in the Opium Act, 1878, except that it does not include "poppy-heads."
9. "Poppy-heads" means the dry capsules of the poppy plant.
10. The words "import," "export," and "transport" have the respective meanings assigned to them in the Opium Act, 1878.
11. "India" means the country included within the British frontier lines on the extreme west, north, and east of British India.

Manufacture.

II.—The manufacture of opium is prohibited, but the manufacture of preparations or admixtures of opium by a licensed vendor for retail sale, or for wholesale sale to another licensed vendor or to a medical practitioner, is permitted.

Possession.

III.—Except as otherwise provided in Rule IV—

1. No person shall have in his possession opium or poppy-heads other than opium or poppy-heads purchased from the Government, or from a farmer, licensed vendor, or medical practitioner.
2. No person, who is not a farmer, licensed vendor, or medical practitioner, shall have in his possession more than three tolahs of opium or more than five seers of poppy-heads.

IV.—Rule III does not apply to—

1. Foreign travellers from countries beyond India having in their possession opium not produced in India, provided that the entire quantity of such opium shall not exceed in weight five tolahs for each such traveller, and provided that such opium is intended for the personal use of such travellers and their attendants, and not for sale or barter.
2. Foreign horse-dealers entering British Burmah with horses, having in their possession opium not produced in India, provided that the entire quantity of such opium shall not exceed in weight five tolahs per horse, and provided that such opium is not intended for sale or barter.
3. Opium during transport under these Rules.

V.—The Collector may grant to any person residing within his district and duly authorised to practise medicine, a special license in Form I appended to these Rules, or in such other form as may from time to time be prescribed by the Chief Commissioner for the possession of opium and poppy-heads, and the sale of opium and poppy-heads by retail for medical purposes only. Provided that such medical practitioner shall not have in his possession at one time more than ten seers of poppy-heads or more than one seer of opium.

Transport.

VI.—When a farmer or licensed vendor desires to transport opium or poppy-heads, he shall obtain for each consignment a pass from the Collector in such form as the Chief Commissioner may from time to time prescribe.

The pass shall specify—

1. The time within which the transport must be effected;
2. The place from which the consignment is to be transported;

3. The name of the person in charge of the consignment;
4. The name of the consignee;
5. The number of packages, and the weight and contents of each; and
6. The place to which the consignment is to be transported.

Each package in every such consignment shall be stamped by, or in the presence of, the icer granting the pass, with his official seal.

VII.—The bulk of a consignment shall not be broken during transport.

VIII.—The Collector may at his discretion, or under orders from the Commissioner, make a condition of the pass that the bulk of the consignment for which it is granted shall not be oken after arrival at its destination as specified in the pass, until after the consignment shall ive been examined by an officer deputed or authorised by the Collector for that purpose. rovided that such examination shall be made within seven days from the date on which the ollector is informed of the arrival of the consignment.

IX.—If any officer competent to exercise the powers of seizure, detention and searcl nder Sections 14 and 15 of the Opium Act, finds that the packages are fewer, or the amount opium less (by more than the dryage allowance of one-quarter per cent.) than the number amount specified in the pass, he shall immediately report the circumstances to the Collector, ho will decide whether a prosecution shall, or shall not, be instituted.

Import and Export.

X.—Opium and poppy-heads may be imported into, or exported from, British Burmah—
(*a*) under Rule IV, in the case of opium only;
(*b*) by the Government; and not otherwise.

Sale.

XI.—Opium in quantities of not less than one seer, and poppy-heads in quantities of not ess than ten seers, shall, on prepayment at such rates as the Chief Commissioner may from time to time prescribe by Notification in the *British Burmah Gazette*, be supplied by the Collector to any farmer, licensed vendor, or medical practitioner. No opium or poppy-heads shall be sold by wholesale or retail which has not been bought from the Collector or from a licensed vendor. No opium or poppy-heads shall be sold wholesale, except under a special order from a Collector, or as next hereinafter provided. A licensed vendor or farmer may sell any quantity of opium to another licensed vendor or farmer, and a quantity not exceeding one seer of opium or ten seers of poppy-heads, to a medical practitioner.

XII.—Save as otherwise provided in Rules V and XIX, no person shall manufacture and sell opium by retail except under a license granted by the Collector under the provisions next hereinafter contained, and in accordance with the conditions specified in such license.

XIII.—Licenses for the sale of opium by retail may be granted by the Collector with the previous sanction of the Commissioner. Such limited number of shops for the retail vend of opium as the Commissioner may from time to time decide shall be allowed in each district, and the monopoly of retail vend at such shops shall be put up to auction at the commencement of each official year. The shops shall be sold singly or in groups as the Collector shall direct.

XIV.—Licenses for the sale of opium by retail shall be in Form II appended to these Rules, or in such other form as may from time to time be prescribed by the Chief Commissioner.

XV.—Licenses for the sale of opium by retail shall be granted for one year only, unless the Chief Commissioner shall otherwise specifically direct.

XVI.—The Collector may grant licenses for the sale of poppy-heads by retail on such conditions as the Chief Commissioner may from time to time prescribe.

XVII.—With the sanction of the Commissioner, the Collector may farm the duties leviable on the sale of opium by retail, for a term not exceeding two years, and with the sanction of the Chief Commissioner for a term not exceeding five years.

XVIII.—The Chief Commissioner may prescribe conditions subject to the provisions herein contained—
(*a*) for the invitation and acceptance of tenders for the farm of such duties;
(*b*) as to the form and conditions of the leases; and
(*c*) for the requisition of security for the due fulfilment of the engagements entered into by the farmers.

Any breach of such engagement shall, over and above any other penalty, subject the lease to annulment by the authority by whom the farm was granted.

XIX.—When such duties are farmed, the farmer may issue licenses for the manufacture and sale of opium by retail within the limits of his farm. Such licenses shall be countersigned by the Collector, and shall then have the force of a license issued by the Collector, in Form II, and shall contain Conditions 2, 3, 4, 5, and 8 of Form II annexed to these Rules and may be cancelled, at the discretion of the Collector, for the breach of any of these conditions.

XX.—Before entering into engagement for the farm of such duties, the Collector may with the sanction of the Commissioner, make such reservations or restrictions with respect t the grant of licenses by the farmer as he thinks fit.

XXI.—Every farmer shall file in the Collector's office a list of all licenses granted by him

XXII.—With the sanction of the Commissioner, the Collector may cancel any farm c duties leviable on the sale of opium by retail, or may, within the term of such farm, impos any new conditions on the farmer.

XXIII.—If a farm be cancelled for any cause other than a breach of the engagements ed into by the farmer, or if any new conditions be imposed under Rule XXII during the of the farm, the Commissioner may award to the farmer compensation for any loss there- used to him.

XXIV.—If any licensed vendor or farmer shall, on the expiry of his license or farm, have s possession any opium or poppy-head which he is unable to dispose of to the satisfaction ıe Collector by private sale to other licensed vendors or farmers, he shall surrender the same ıe Collector; and the incoming licensed vendor or farmer, or, if the expired license ırm is not renewed, any licensed vendor or farmer within the district, shall, when ired by the Collector, be bound to purchase the articles aforesaid to the extent of two ths' supply at such price, and in such quantities, as the Collector shall adjudge: provided the price of the articles thus adjudged shall in no case exceed the rate at which opium and ɔy-head respectively can be procured from the Government; provided also that if such les be declared by the Civil Surgeon to be unfit for use, the Collector shall cause the same ɔ destroyed.

Disposal of things confiscated.

XXV.—Opium confiscated under the "Opium Act, 1878," shall be examined by the Civil ɜeon, and, if declared by him to be fit for use, shall be sent to the nearest Government ıasury, and be disposed of as the Commissioner may direct. If declared to be unfit for use, ıall be immediately destroyed. Poppy-heads confiscated shall be destroyed.

XXVI.—All property other than opium which is confiscated under the "Opium Act, 1878," ll be sold under the orders of the Magistrate or other officer by whom the confiscation was ıdged.

Rewards.

XXVII.—Any Magistrate convicting an offender under Section 9, or any Magistrate or er authorized officer ordering the confiscation of opium or poppy-heads under Section 12 of "Opium Act, 1878," may grant a reward, not exceeding the value of the opium or poppy- ds confiscated, together with the amount of any fine realised, in such proportions as he may nk fit, to any person or persons who have contributed to the seizure of the opium or poppy- ıds, or the conviction of the offender.

XXVIII.—If in any case the fine or forfeiture is not realised, the Collector may sanction ɔh reasonable reward, not exceeding the amount of the fine and forfeiture, as may seem ap- ɔpriate. The Chief Commissioner may also, by general order, declare what classes of Excise ıcers shall receive rewards, and what classes shall have no title to share therein.

FORMS.

I.—Special license to Medical Practitioner under Rule V.

Special license granted to———following the profession of at the district of for the sale of opium or poppy-heads by retail, on the condition at such opium and poppy-heads shall be procured from the Collector's office, or a licensed ndor or farmer, and shall be used *bonâ fide* as medicine or in medical preparations or pre- riptions.

DISTRICT }
Dated . }

II.—License for the sale of Opium by retail [a] *(general).*

District,—
No. of license in register,—
Name of vendor,—
Locality of shop,—
Be it known that——, resident of township or village, district of , is hereby authorised by the Collector of to sell opium by retail and wholesale, under the provisions of Rule XI* of the British Burma Opium Rules, to another licensed vendor, or to a medical practitioner licensed under Rule V† of those Rules, at in from the date of this license to the day of 18 upon the following conditions:—

1. That he shall pay to Government a quarterly duty of

2. That he shall not receive any wearing apparel or other goods in barter for opium.

3. That he shall not open his shop, or make sales therein, before sunrise; that he shall not keep it open, or make sales therein, after 9 P.M.; and that he shall not harbour any person therein during the night.

* XI.—Opium in quantities of not less than one seer, and poppy-heads ı quantities of not less than ten seers, shall, on prepayment at such rates ɜ the Chief Commissioner may from time to time prescribe by Notifica- on in the *British Burma Gazette*, be supplied by the Collector to any ırmer, licensed vendor, or medical practitioner. No opium shall be sold y wholesale or retail which has not been bought from the Collector or rom a licensed vendor. No opium or poppy-heads shall be sold wholesale, xcept under a special order from a Collector or as next hereinafter pro- ided. A licensed vendor or farmer may sell any quantity of opium to nother licensed vendor or farmer, and a quantity not exceeding one seer f opium or ten seers of poppy-heads to a medical practitioner.

† V.—The Collector may grant to any person residing within his dis- rict and duly authorised to practise medicine, a special license in Form I ppended to these Rules, or in such other form as may from time to time e prescribed by the Chief Commissioner for the possession of opium and poppy-heads, and the sale of opium and poppy-heads by retail for medical purposes only. Provided that such medical practitioner shall not have in his possession at one time more than ten seers of poppy-heads or more than one seer of opium.

[a] Counterpart of this will be signed by the license-holder and deposited in the Collector's office.

4. That he shall not permit persons of notoriously bad character to resort to his shop; that he shall prevent gaming and disorderly conduct therein; and that he shall give information to the nearest Magistrate or Police Officer of any suspected person who may resort to his shop.

5. That he shall have constantly fixed up, at the entrance of his shop, a signboard bearing the following inscription, in legible characters, in the vernacular language :—

(Name of Vendor).

"Licensed to sell opium by retail."

6. That if he buy less than , which is the quantity estimated to be sold by retail at in each month, he shall, if required, explain the reason of the falling-off to the Collector.

7. That he shall keep up daily an account in the following form in English or Burmese, showing the receipts and deliveries of opium at his shop each day and the balance in store :—

Date.	Quantity of opium in store from yesterday.	Quantity of opium received this day, and whence received.	Total quantity to be accounted for.	Quantity used in the preparation of	Quantity sold this day.	Quantity left in store.

8. That he shall immediately produce his license and accounts for inspection on the demand of any officer of any of the departments of Excise, Police, Customs, Salt, Opium, or Revenue, superior in rank to a peon or constable, and that he shall not prevent any such officer of whatever rank from entering his shop at any hour of the day or night.

9. That if the holder of this license does not intend to renew it on the expiry of the period for which it is granted, he shall give notice to the Collector that he contemplates its surrender, at least fifteen days before the expiry of the period for which it is granted, *i.e.*, before the day of 18 .

If such notice be not given, or if this license be not recalled by the Collector under the authority reserved to him in Clause 10, this license, and any counterpart engagement for the due observance of these conditions that the license-holder may have entered into, shall remain in force as if this license and the engagement was formally renewed for a further term of one year, *viz.*, to the day of 18 .

10. This license may be recalled by the Collector—

(*a*) for default of punctual payment of the duty stipulated to be paid in Clause I;

(*b*) for violation of any of the conditions specified in this license;

(*c*) if the holder of this license be convicted of breach of the peace or any other criminal offence.

Should the license be recalled for any of these causes, the license-holder shall have no claim to any compensation whatever, or to any refund of any duty, or instalment of duty, already paid. But it shall be in the discretion of the Collector to make such compensation or refund, should he consider it necessary or advisable to do so.

Should the Collector desire to recall this license before the expiry of the period for which it has been granted, for any cause other than those hereinbefore specified, (*a*), (*b*) and (*c*), he shall give fifteen days' previous notice, and remit a sum equal to the duty for fifteen days, or, if notice be not given, shall make such further compensation, in default of notice, as the Commissioner may direct.

11. This license may be surrendered by the license-holder on his giving one month's notice to the Collector and paying such fine, not exceeding the amount of the duty for six months, or the loss caused to Government by the failure to carry out any condition imposed, as the Collector may adjudge.

Should the Collector be satisfied that the reason for surrendering the license is adequate, he may, with the sanction of the Chief Commissioner, remit the fine.

12. On the infringement of any of the above articles or of any conditions imposed by the Opium Act, 1878, or by the Rules made thereunder, this license, and any other license or licenses that the holder may have obtained for the sale of opium, shall be forfeited.

General No: 2492
R. 42.

Mysore Chief Commr's Office
Bangalore 20th June /7

SECTION S. R
FILE NO. 10 of 75-76.
SERIAL NO. 18

To.

The Secretary to the
Government of India
Foreign Deptt
Simla

Sir,

In acknowledging
receipt of the letter
of the Financial Secretary
to the Govt of India,
dated the 8th March 1876
No 1098, I am desired
by the Chief Commissioner
to state that he entirely
concurs in the views
therein conveyed and
is prepared to give
effect to them.

2. The Chief Comm
finds that the cultivat
of poppy is resorted to
entirely for the profit to
be made from the
manufacture of opium
He therefore considers
that it will be better

to prohibit the cultivation altogether, with only a nominal reservation for granting special licenses in any very exceptional cases which are unlikely to occur. The prohibition of the cultivation will doubtless be attended with some hardship to the cultivators who have hitherto derived a profit from it; but if the local manufacture of opium is to be prohibited, the cultivation cannot be allowed to be carried on without leading to smuggling. The cultivators can grow other garden produce on their lands instead.

3. I am therefore

to request that the
sanction of His Excellency
the Viceroy and Governor
General in Council may
be obtained to the
extension of the Opium
Act No. 1 of 1878 to this
Province, and to the
Chief Commissioner
notifying the accom-
-panying rules in
the Mysore Gazette
to give effect to the~~se~~.
Act- Mr. Gordon
considers that the British
Burmah Opium Rules,
which are in great
detail, are not required
in this Province and
that the few simple rules now
submitted for sanction
will suffice, supple-
-mented as they will
be by such detailed
instructions as the
Chief Commissioner
may find it necessary

to issue for the manag-
-ment and collection
of the revenue from
opium.

5. As already
reported, the consumption
of opium is very limited
in this Province. An
annual supply of abont
30 maunds of 960 Rupees'
weight each will suffice.
The supply will, as
directed, be obtained
from the Agent Governor-
General in Central India
and the retail prices
obtaining in Bombay,
viz, Rs 12/4/0 per ~~tt~~, will for the present be adopted
with a slight alteration
to Rs. 12/8/0 per ~~tt~~, ~~on~~ so as to give exactly five
Annas per Tola. ~~be~~ This rate will be
~~adopted~~, subject to alter-
-ation hereafter, if
found necessary, with
reference to the arrang-
-ments introduced in
Madras.

I have &c.

Q

Resd. Sept

Mysore Opium Rules.

Notification

In exercise of the powers conferred by Section 5 of the Opium Act, 1878, the Chief Commissioner of Mysore, with the previous sanction of H. E. the Governor-General in Council, hereby notifies that the following rules shall be in force in the Province of Mysore.

BG 17/6

I. The cultivation of poppy is prohibited, but ~~it may be carried~~ the Chief Commissioner may grant ~~on under~~ special licenses for the cultivation in very exceptional cases under ~~general rules of Districts~~ subject to such conditions as ~~the Chief Commissioner~~ he may consider ~~from time to time~~ it necessary to prescribe.

II. The manufacture

& opium is prohibited. The import or export of opium except on Government account and under the written authority of the Chief Commissioner, is also pro-
- hibited.

III. The wholesale and retail sale of opium shall be carried on only by persons holding licenses from the Deputy Commissioners of Districts, and in accordance with the conditions laid down in such licenses

IV No person shall have, in his possession, opium which has not been purchased from such licensed vendors, or from medical practitioners holding licenses from the Deputy Commissioners, or from

the Government. And no person who is not such a licensed vendor or licensed medical practitioner shall have, in his possession, more than 3 Tolas of opium.

V. The term "Opium" in these rules shall include preparations or admixtures of opium, and intoxicating drugs prepared from the poppy, but not poppy heads or the dry capsules of the poppy plant.

1879.

No. 46

To the Secy: to the Govt of India
Foreign Departt
Simla

Opium Rules

dated 20th June
despd 24th "
Rect. 7th July 1879.
encls: 1 Rules

General No: 2492
R. 42

Submits with certain remarks for approval draft rules regarding the cultivation &c of opium in the Province of Mysore.

SECTION S. R

FILE No. 10 & 75-76

SERIAL No. 19

1880.

From The Un Secretary to the

~~The Secretary to the Chief Commissioner of Mysore, General Department.~~

Govt of India

Dept of Finance & Comm

(20)

Dated 17 Jul 1879

Despatched

Received

Enclosures No. 2 Nil Copies

General No. 1829.

No.

Directing the regulation of the selling price of Malwa opium to retail vendors within the Provce & as to secure on all opium imported the levy of the full British pass duty payable on opium proceeded for export irrespective all charges.

No. 1828.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SEPARATE REVENUE.

Opium.

SIMLA, THE 19TH JULY 1879

Read the following correspondence regarding the duty to be levied on Malwa opium required for consumption in the Hyderabad Assigned Districts in connection with the introduction of the Opium Act I of 1878 into those Districts:—

Letter from the Resident at Hyderabad, No. 6B., dated 24th January 1879, and enclosures.

Ditto to ditto, No. 984, dated 11th June 1879.

Telegram from ditto, dated 10th June 1879.

Ditto to ditto, dated 11th June 1879.

Letter from ditto, No. 8, dated 12th June 1879.

Letter from ditto, No. 10, dated 27th June 1879.

Read also—

Letter in the Foreign Department, to the Resident at Hyderabad, No. 1730 P., dated 19th August 1878, regarding the smuggling of opium from and through His Highness the Nizam's Dominions.

Letter from the Government of Bombay, No. 1230, dated 7th March 1879, pointing out the risk to the Bombay opium revenue and to the revenue levied upon the export of Malwa opium to China, involved in the arrangement made by the Resident at Hyderabad for the supply of Malwa opium to Berar at a wholesale price of Rs. 1,400 per chest, including all charges and duty.

RESOLUTION.—By letter No. 984, dated 11th June 1879 (paragraph 2), the Resident at Hyderabad was informed, with reference to the Rule framed under Section 5 of the Opium Act of 1878, regarding the import of opium into Berar, that in order that there might be no risk to the revenue levied upon opium exported by sea, it was necessary to observe the principle laid down by the Government of India that the duty on opium, exported from Central India into or through British territory, shall not be less than the British duty levied on such opium when passed for export by sea from Bombay. It was accordingly decided that a duty of Rs. 650, the present pass duty levied on Malwa opium, exported from Bombay by sea, must be levied on each chest of opium imported for consumption into Berar.

2. The Resident at Hyderabad deprecates the levy of duty at this rate, on the ground that it will involve a breach of the existing contracts with the licensed vendors of opium, which contemplate the import of opium on payment of a wholesale price of Rs. 1,400 per chest including duty; and urging, among other reasons, that the proposed rate of duty will tend to encourage the smuggling of opium into Berar from the Central Provinces, as it will raise the retail price of opium in Berar above the retail prices in those Provinces.

3. In deference to these arguments, the Governor General in Council sanctions the continuance, till the end of the current financial year, of the present arrangements for the supply of Malwa opium to Berar, under which the difference between the wholesale price of Rs. 1,400 a chest and the actual cost of the drug

in Malwa will be credited to Berar as import duty. This sanction is accorded on the understanding that the import of opium will be strictly limited to the amount actually required for consumption in Berar, and that no new arrangements will be sanctioned for the supply of opium to Berar, which do not provide for the levy of duty equal to the British pass duty levied for the time being on opium intended for export from Bombay by sea. In future, *i.e.*, from the 1st April 1880, the full pass duty (at present Rs. 650) will be levied irrespective of the cost otherwise.

4. The necessity for the levy of a similar duty on opium required for consumption in His Highness the Nizam's Dominions is now under the consideration of His Highness and the Resident at Hyderabad in connection with the arrangements proposed in the letter, addressed to the Resident, in the Foreign Department No. 1730, dated 17th August 1878.

5. The introduction of the Opium Act I of 1878 into the Central Provinces and the Bombay Presidency will protect the opium revenue of Berar against the illicit importation of opium from British territory. To remove, however, the temptation to import opium from the Central Provinces into Berar which any difference in retail prices may afford, the Governor General in Council directs that the selling price of opium supplied to retail vendors in the Districts of the Central Provinces on the Berar frontier shall be regulated from next year by the Chief Commissioner in communication with the Resident at Hyderabad, and fixed so as to secure, as far as may be necessary, uniformity of retail prices. But in making these arrangements, the Chief Commissioner and the Resident at Hyderabad will bear in mind that it should not be accepted, as a matter of course, or without enquiry, that Bengal opium can compete with Malwa opium for consumption in Western India at the same price.

6. The Governor General in Council considers it absolutely necessary, in the interests of the revenue derived from opium exported from Bombay by sea, that the principle obtaining in the Bombay Presidency should be generally applied outside Central India and Rajputana.

7. The Provinces under British administration in which Malwa opium is consumed are Bombay, Madras, the Punjab, Mysore and Berar. His Excellency in Council directs the Governments of these Provinces to regulate the selling price to retail vendors within their respective jurisdictions so as to secure on all opium imported the levy of the full British pass duty payable on opium passed for export, irrespective of all other charges. The adjoining Native States should be pressed to enforce and maintain a similar practice.

8. His Excellency in Council also desires that the Agents to the Governor General in Central India and Rajputana will take all possible measures to secure the co-operation of the several Native States under their respective superintendency in preventing any opium from crossing the Central India and Rajputana frontier for consumption in British or Native territory except with the assent of the British Government.

ORDERED, that this Resolution be distributed for information and guidance as follows :—

To the Resident at Hyderabad, with the intimation that the Government of India is prepared to supply from next financial year the requirements of the home consumption of opium in Berar from the Bengal factories if the Resident prefers such an arrangement with reference to the retail price of opium in the Central Provinces.

To the Chief Commissioner of the Central Provinces, with the intimation that the Government of India hopes that he will take every precaution against the import into, and passage through, the Central Provinces, especially from Malwa, of opium on which the full pass duty for the time being in force has not been levied.

To the Agents Governor General, Central India and Rajputana.

To the Government of Bombay, with reference to that Government's letter No. 1230, dated 7th March 1879.

To the Government of Madras.

To the Government of Punjab.

To the Chief Commissioner of Mysore.

To the Foreign Department, with the request that it may be ascertained from the Resident at Hyderabad what progress is being made towards the settlement of the arrangements proposed in that Department's letter to the Resident, No. 1730 P., dated 19th August 1878, and that such further instructions may be issued to the Resident as may be necessary, with reference to the question of duty to be levied on opium imported into His Highness the Nizam's Dominions for home consumption.

E. J. Atkinson

Under *Secretary to the Govt. of India.*

G. C. B. Press, Simla, No. 270, C. F.—19-7-79.—80.

SECTION J. R.

FILE No. 1067-78

SERIAL No. 20

1879

(21)

From The Hon. Secretary to Govt. of India.

To Deptt of Finance & Comm.

Dated 29 July 1879.

Despatched

Received 30-10-79

Enclosures No. 6

General No. 1975

No.

Forwarding copies of Opium Rules framed by the Governor General in Council for the consideration and approval of the Secretary of State.

To

The Chief Commissioner of
Mysore.

Dept.tt of Finance and Commerce

Sir,

I am desired to acknowledge the receipt of your letter addressed to the Foreign Department, No. 2492/42 dated the 20th June 1879, stating that you are prepared to introduce into Mysore the opium system recommended in my letter No. 1098 dated 8th March 1879, and forwarding for sanction draft Rules for Mysore under Section 5 of the Opium Act I. of 1878.

2. In reply I am desired to invite your attention to the fact that the provisions of the Act are entirely prohibitive, so that whatever arrangements are required in the introduction of the new system must be distinctly and affirmatively provided for in the Rules framed under Section 5 of the Act. As the Rules received with your letter do not provide for numerous matters connected with 'import' 'export' 'transport' and 'sale', the Governor General in Council has framed and approved in anticipation of your concurrence the accompanying Rules which are recommended for your consideration and approval. The Rules are made as simple as has been found possible and are framed generally on the

the model of the Rules adopted for all the other Provinces of India - It has been found impossible to frame Rules under the Act for other Provinces in a more condensed form without leaving them incomplete for administrative purposes.

3. It will be seen that in deference to your wish a Rule has been inserted permitting the cultivation of the poppy under special licenses granted by you, and that provision is made in Rule XIV for the disposal of licenses to retail opium either by auction or by contract on payment of such fee as you may fix. It is understood that until arrangements are made under the Opium Act for the supply of opium to Madras, the selling price of opium to the vendors in Mysore will not be less than the selling price charged to the vendors in Bombay. Eventually the selling price obtaining in Madras will determine the price in Mysore.

4. The Government of India is prepared to consider any modification you may suggest which does not interfere with the general tenor of the Rules, but in the event of your accepting the Rules as they stand, I am to request that you will be good enough to communicate as early as practicable, the date on which it is desired to introduce the Opium Act into Mysore. On learning this a Notification extending

extending the Act to Mysore will be — published by the Foreign Department in the Gazette of India and the Rules should be published in the Mysore Gazette on the same day -

5. Copies of the Notifications — extending the Act to Mysore and — permitting the import of opium into that province for consumption through the Malwa Agency are enclosed - You will observe that in accordance with the policy formulated in the Resolution of the Government of India No. 1828 dated 19th July 1879 duty at the full rate of Rs. 650 a chest of 140 lbs. will be charged on all opium passed for transport to Mysore - The duty will however be credited to Mysore revenues -

6. The Agent Governor General — Central India has been instructed to supply you annually with 30 Mysore maunds of opium - It might be more convenient if you stated the amount required in lbs. -

I have the honor to be,
Sir,
Your most obt. servant

Simla,
The 29th July 1879.

E. J. Wilkinson

Under Secy. to the Govt. of India

WB
2-8-79

Ordered that para: 1 of this letter be communicated to the Government of Madras

Madras in continuation of the endorsement from this Department No. 1098 dated 8th March 1879 and that para: 5 be communicated to the Deputy Accountant General Mysore-

Foreign Department
Simla, The 1879.

Notification

In exercise of the powers conferred by section 6 of the Opium Act I. of 1878, the Governor General in Council is pleased to direct that duty at the rate of Rs. 650 shall be levied on each chest of Malwa opium of 140 lbs. net weight, imported into Mysore. The duty shall be credited to Mysore revenues.

Foreign Department
Simla, The 1879

Notification

The Governor General in Council is pleased to extend Act No. I. of 1878 (The Opium Act, 1878) to Mysore subject to the modifications hereinafter specified.

1. For the last two clauses of section one the following clause shall be substituted: and it shall come into force in Mysore on the day of 1879.

2. Section two and the last para: of section twenty-two shall be omitted.

3. In section three, in the definition of "Magistrate" the words "in the Presidency towns, a Presidency Magistrate, and elsewhere" shall be omitted.

4. In section twelve, in the third paragraph the words "Collector of the District or": in sections nineteen and twenty-four the words "Collector of the District" and in section twenty-four the word "Collector" and the words "Collector, Deputy Collector or other" shall be omitted

For the words "the Local Government," "any Local Government" "the same Local Government" "such Government" and "such Local Government" wherever they occur, and for the words "British India" in Section six, the words the Chief Commissioner of Mysore and Mysore respectively shall be substituted.

2814

Department of Finance

Notification

No: 2816

(22)

Simla, the 15th September 1879

The Governor General in Council has raised by 50 Rs. a chest the duty upon opium exported by sea from Bombay.

Accordingly, it is hereby notified that, till further orders, the transit through British India of opium the export of which from Bombay is allowed, and its export by sea from that port, will be subject to the following duty upon each chest weighing net 140¼ ~~lbs~~ avoirdupois weight, namely:—

	Rs.
If weighed at Ajmir	725
If weighed elsewhere	700

As soon as is consistent with existing engagements, an excise at the rate

of not less than Rs. 700 a chest must be levied upon the consumption of opium in British India and Berar.

The transit through British India, of opium intended for consumption in any Native State, will be permitted only upon satisfactory evidence that an excise at the rate of not less than Rs. 700 a chest is levied upon such consumption.

By order of the Governor General in Council,

(Signed) R. B. Chapman,

Secretary to the Govt. of India

"True Copy"

C. Venkobachar

Record keeper

(Copy)
№ 3131

23

Government of India
Department of Finance and Commerce

Seperate Revenue
Opium

Simla the 9th October 1879.

Read—

Financial Resolution № 1828, dated 19th July 187
Financial Notification, № 2816, dated 15th Sept 18

Resolution. — By paragraph 7 of the Resolution of 19th July 1879, it was directed that the Administrations of the Provinces, in which Malwa opium is consumed, should take steps to regulate the selling price of opium to retail vendors within their respective jurisdictions "so as to secure on all opium imported the levy of the full British pa duty payable on opium passed for exp irrespective of all other charges."

. By paragraph 2 of the Notification of 15th September 1879, the rate of British pass duty was raised to Rs 700 for each chest of 140 ¼ lbs. avoirdupois weight, weighed elsewhere than at Ajmir.

3. By paragraph 3 of this Notification, instructions were issued to the effect that an excise duty ~~was~~ of not less than Rs 700 a chest should be levied on all ~~raised to Rs for a chest should be levied on all~~ opium consumed in British India or Berar; existing arrangements being saved.

4. His Excellency in Council considers it desirable to remind the Local Governments and Administrations concerned that the "Full British pass duty", referred to in paragraph 7 of the Resolution of 19th July, is now Rs 700 a chest of 140 ¼ lbs avoirdupois weight, and that as soon as ~~the~~ existing contracts will allow at least this duty should be levied on home consumption.

Orders

Ordered, that this Resolution be communicated to the Governments of Bombay, Madras and Punjab; Resident at Hydrabad; Chief Commissioner, Central Provinces; Agents Governor General, Central India and Rajaputana.

Ordered also, that a copy of the Resolution be forwarded to the Foreign Department for communication to the Chief Commissioner of Mysore.

(Signed) E. J. Linkinson

Under-Secretary to the Govt of India

No 1564 · J. G.

Copy of the foregoing forwarded to the Chief Commr of Mysore for information and guidance

By order

Signed Thomas Hope

for Mr Ibbetson Secy to Govt of India

Foreign Dpt. Simla

Simla the 25th October 1879

14.6.92

(Copy)

No. 3131.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

SEPARATE REVENUE.
Opium.

SIMLA, THE 9TH OCTOBER 18[illegible].

Read—

Financial Resolution No. 1828, dated 19th July 1879.
Financial Notification, No. 2816, dated 15th September 1879.

RESOLUTION.—By paragraph 7 of the Resolution, of 19th July 1879, it was directed that the Administrations of the Provinces, in which Malwa opium is consumed, should take steps to regulate the selling price of opium to retail vendors within their respective jurisdictions "so as to secure on all opium imported the levy of the full British pass duty payable on opium passed for export, irrespective of all other charges."

2. By paragraph 2 of the Notification of 15th September 1879, the rate of British pass duty was raised to Rs. 700 for each chest of 140¼ lbs. avoirdupois weight, weighed elsewhere than at Ajmir.

3. By paragraph 3 of this Notification, instructions were issued to the effect that an excise duty of not less than Rs. 700 a chest should be levied on all opium consumed in British India or Berar; existing arrangements being saved.

4. His Excellency in Council considers it desirable to remind the Local Governments and Administrations concerned that the "full British pass duty", referred to in paragraph 7 of the Resolution of 19th July, is now Rs. 700 a chest of 140¼ lbs. avoirdupois weight, and that, as soon as existing contracts will allow, at least this duty should be levied on home consumption.

ORDERED, that this Resolution be communicated to the Governments of Bombay, Madras and Punjab; Resident at Hyderabad; Chief Commissioner, Central Provinces; Agents Governor General, Central India and Rajputana.

Ordered also, that a copy of the Resolution be forwarded to the Foreign Department for communication to the Chief Commissioner of Mysore.

E. J. SINKINSON,
Under-Secretary to the Govt. of India.

G. C. B. Press, Simla.—No. 448 C. F.—8-10-79.—80.

No. 4564 F. S.

Copy of the foregoing forwarded to the Chief Commissioner of Mysore for information and guidance.

By Order, &c.

Thomas Hope

for Under Secretary to the Government of India

Foreign Department
General
Simla, the 25th October
1879

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1879

SECTION S.R

FILE No. 1 of 75-76

SERIAL No. 21.

From

To The Secretary to the
Govt of India,
Dept of Finance & Commerce
Simla.

Dated Mysore 28th October

Despatched 31st

Received 3-11-79

Enclosures No.

General No. 4062

No. 59

Accepts the proposed rules regarding Opium, & suggests that the Opium Act and Rules come into force in Mysore from the 1st April 1880.

Trial 7. Sep. Postage. 131 & 21-11-79.

Home the Same by 95

Revenue Department
Dated 28th October 1879.

To.

The Secretary to
the Government
of India, Deptt of
Finance & Commerce
Simla.

Sir,

(25)

With reference to
your letter dated the 29th
July 1879, No. 1975, I
am directed by the Chief
Commissioner to state
that, with one exception
to be noticed hereafter,
he entirely accepts the
rules regarding opium
therewith forwarded, and
he proposes that the
Opium Act I of 1878
and the Rules shall come
into effect in this Province
from the 1st day of
April 1880; by which
time the poppy cultiva-
tion of the current year,
small as it is, will
have been fully harveste

194
25/10

and disposed of.—

2. The Chief Comm[r] is not quite clear why the Badoo Notification in the Gazette of India extending the Act, and the publication of the Rules in the Mysore Gazette should be made on the same day, and he wishes to be informed whether in the event of their being notified to come into effect on the same day, viz, the 1st April 1800, in the course usually adopted in regard to other Acts, the Notification may not at once be first published in the Gazette of India, and the Rules immediately afterwards in the local Gazette, but both in sufficient time before the date fixed for their coming into

Ensure
effect, to ~~a~~ due
publicity being given
to the same.

3. The exception refer-
-red to in para 1 relates
to Poppy-heads, the sale
of which, used as the
article generally is in
this Province for ~~chiefly~~
medicinal purposes,
has hitherto been un-
-restricted; and as
the inclusion of the
articles under the pro-
-hibitory regulations is
apt to occasion needless
inconvenience, the
Chief Commissioner
would
~~begards~~ suggest that
the provisions relating
to Poppy heads may
be left out in the
Rules, and ~~that~~ a
new Rule declaring
~~to the effect~~ that the
import, transport,
sale and possession
of Poppy heads ~~without~~

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is permitted.

4. With reference to the last para of your letter, I am to state that an annual supply of 5 Chests or 700 ~~lbs~~ of Opium will suffice for the requirements of this Province, for which application will be made direct to the authority indicated. —

Yours Respectfully

Thanesa.

Secretary

Secretary Letter to be registered 27.10.

SECTION S. R.

FILE No. 107-75-76

SERIAL No. 22

1880.

From The Secretary to the

~~The Secretary to the Chief Commissioner~~
~~of Mysore, General Department.~~

Govt of India
Dept of Revenue Agriculture & Commerce

dated 20th November 79

despatched

received

Enclosures No. 2 Specimens.

General No. 3941

Office No.

Directing the substitution of a revised clause for clause IX of license Form II annexed to the Rules framed for Mysore under the Opium act I/78

Neese three letters are Original to be filed -

1572

Neese letters have been seen by me accordingly. The Amended Rules herein referred to have been published along with other Rules in the Gazette Extraordinary - may be filed

No. 3941.

GOVERNMENT OF INDIA.

DEPARTMENT OF FINANCE AND COMMERCE.

25

To

The Chief Commissioner
Mysore

SIMLA THE 20TH NOVEMBER 1879.

SIR,

I am desired to invite your attention to Clause IX of License Form II ~~and Clause —— of License Form ——~~ annexed to the Rules framed for Mysore " under the Opium Act I of 1878.

2. Under those Clauses, a person, who has obtained a license to retail opium or preparations of opium, may, if the license is not formally recalled, elect to remain a licensed vendor for another year on the expiry of the period for which the license was originally granted, as if it was formally renewed for a year on the same fee as was originally paid.

3. As such a Clause may operate detrimentally to the interests of the Revenue, I am desired to suggest the substitution for those Clauses of the accompanying draft Clause which is sanctioned in case it meets with your approval

I have the honor to be,

SIR,

Your most obedient Servant,

E. J. Wilkinson

Under-Secretary to the Govt. of India.

Revised Clause.

This license shall have effect from to and, unless renewed by the order of the by the day of being the expiration of the period for which it was granted, shall cease to remain in force, notwithstanding that a special order recalling it has not been issued by the

1879-80.

SECTION S. R.

FILE No. 1075-76

SERIAL No. 23

From The Un Secretary to the Govt of India

To The Secretary to the Chief Commissioner of Mysore, General Department. Foreign Depte

Dated 21st November 79

Despatched

Received

Enclosures No.

General No. 935 S.R.I

No.

Forwarding 6 copies of the amended opium Rule for Mysore & a revised Notification regarding the levy of duty on the opium required for Mysore

5 Sheets of Opium Rules for Mysore in this letter Enclosures

No. 95 S.D.

(26)

From

The Under Secretary to the
Government of India

To

The Chief Commissioner
of Mysore

Foreign Dept. / Revenue. } dated, Simla, the 21st November 1879

Sir,

I am desired to forward six copies of the opium Rules for Mysore as amended in accordance with the suggestion contained in paragraph 3 of your letter No. 4052/59, dated 28th October 1879, received in the Department of Finance.

2. In reference to your wishes the possession, import, transport, & sale of poppy heads have been exempted from all

restrictions. Free export cannot, however, be permitted, as free import is prohibited in the Rules accepted for the Madras Presidency by the Madras Government.

3. It will be seen that a separate rule regarding import has been inserted as under the orders contained in the Resolutions of the Government of India No. 2816 dated 15th September 1879 (vide Gazette of India Extraordinary of that date) and No. 3689 dated 17th November 1879, it becomes necessary to state in the Rules the conditions under which opium may be imported into Mysore.

4. With reference to paragraph

to explain that it is necessary to bring the Rules into force simultaneously with the act which is mainly prohibitive. The publication in the Gazette of India of the Notification extending the Opium act to Mysore, and the publication of of these Rules in the Mysore Gazette on the same day would be necessary if (as was contemplated) the extension of the act was to take effect from an early date and from the date on which the Notification extending it might appear. I am now desired to refer you to the Notification in the Gazette of India No. 93 I.R. dated 21st November 1879, extending

extending the Opium Act to
Mysore from 1st April 1880, and
to say that as surmised by
you the Rules may be published
in the Mysore Gazette on any
day not later than the 1st
April 1880 as Rules which are
to come into force from that
date. To prevent any mis-
understanding on this point
the heading of the Rules has
been modified accordingly.

5. The necessary instructions
have been issued to the Opium
Agent at Indore to supply
annually from 1st April 1880,
5 chests of Malwa Opium
for consumption in Mysore
on the conditions prescribed
in the Resolutions referred to
in paragraph 3 of this letter.

6. A revised draft of the Notification necessary under Section 6 of the Opium Act regarding the levy of duty on the opium required for May one is enclosed. If you desire to raise the duty to a sum higher than Rupees 70 a chest the Notification can be modified accordingly

I have the honor to be
Sir,
Your most obed. servant
W. Lowndes
Under Secy. to the Govt
of India.
(sd) T. J. C. Plowden.

No 3689 147

Government of India

Department of Finance and Commerce.

Separate Revenue

Opium

Simla the 17th November 1879

Read the following telegram, dated 22nd October 1879, from the Agent Governor General for Central India:—

Collector Khandwa issues passes unstamped to merchants for large quantity Opium to be imported from Indore. Merchants slip from Malwa with Consignments evading Seals and will often get away. This system will strengthen smuggling No pass should be given for Malwa opium except through this

this Office. If any Collector desi
Opium imported, Requisition
should be sent to Indore
Not made over direct, as pass
by him to Merchant.

Resolution:— Under
several local rules and re-
gulations, the import of
Opium from Malwa for
local Consumption is
permitted under passes
granted by Revenue Officers.

2. The Governor General
in Council has resolved that
no pass shall, in future,
be thus granted excepting
by the Opium Agent at
Indore.

3. Officers desiring to
authorize the import of
Malwa Opium, under
sanctioned Conditions,

should, accordingly, address the Opium Agent at Indore, who will issue the required passes under such conditions, and with such precautions, as he thinks necessary for the safety of the Opium revenue which he supervises.

4. Each local Government concerned will determine and inform the Opium Agent what Officers are authorized to move him to issue passes under these Orders.

Ordered, that this Resolution be Communicated-

to the Government of Bombay with the request that this Resolution may be inserted as a foot note to rule 14 of the Opium Rules sanctioned for the Bombay Presidency

to the Government of Madras

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to the Government of the Punjab,
with the Request that, if
approved, the accompanying
Rule may be substituted
for Rule 32 of the Opium
Rules for the Punjab
sanctioned in the Letter
from this Department,
No 1941, dated 25th July 1899:
to the Resident at Hyderabad:
to the Opium Agent at Indore.

Ordered also, that a Copy
of the Resolution be for-
warded to the Foreign Dept
for Communication to
the Chief Commissioner
of Mysore.

(Sd) E J. Sinkinson,
Under Secretary
to the Govt of India

True Copy
H. Wood
Asst Manager

Copy forwarded to the Chief Commissioner of Mysore
for information and guidance.
By order
[illegible]
for Secy to Govt of India

No. 93 I. R

25½

Foreign Department,
Revenue,
Simla,
The 21st November 1879.

Notification

In exercise of the powers conferred by Section 6 of the Opium Act I of 1878 the Governor General in Council is pleased to direct that duty at the rate of Rupees 700 shall be levied on each chest of Malwa opium of 140¼ lbs avoir: net weight imported into Mysore. The duty shall be credited as Mysore revenue

By A. C. Lyall
Secretary to the Govt of India

(True Copy)
[illegible]

Stamp: Asstt Secy: Foreign Dept

1879.

From

The Secretary to the Chief Commissioner,
of Mysore.

SECTION S.R

FILE No. 10675-76

SERIAL No. 24

To

The Compiler of the
Mysore Gazette
Bangalore

Dated 4th February

Despatched 5th ~~December~~

Received

Enclosures No.

General No. 5883

R No. 1028

Request that
~~I am directed to~~ the accom-
-panying Opium
Rules may be published
in 3 successive
issues of the Mysore
Gazette in English
and Canarese, and
that 200 Copies in
English and 500
Copies in Canarese
of the Opium Act with
~~with~~ the Govt of
India Notification
and of the Rules may
be furnished for
distribution to District
Officers -

By Order

Dy.
Asst Secy

Proceedings of the Chief Commissioner of Mysore in the Revenue Department, (Revenue),—dated 4th February 1880.

No. 5903-11—Rev. 1035, dated Bangalore, 4th February 1880.

Order.—With reference to the Opium Act and the Rules published in the Gazette and which will come into force from the 1st April 1880, the Deputy Commissioners of the several Districts are requested to give the widest publicity to them, especially amongst the cultivators of the poppy and traders in opium, and to notify to them that the cultivation of poppy and the manufacture, import, export and transport of opium are absolutely prohibited from the above date, that no one is allowed to sell opium excepting licensed vendors or licensed medical practitioners, and that no one is authorized to have in his possession more than three tolas of opium purchased from Government or from a licensed vendor or medical practitioner. Any persons who may be now in possession of opium should deliver up the same before the 1st April 1880 to the Deputy Commissioners, who will forward the same to the Deputy Accountant General. The article will be paid for if it is fit for use at cost price.

2. The arrangements contemplated are that the Mysore Government will import the opium required for local consumption from Malwa through the Deputy Accountant General, to whom the District Officers should from time to time apply for the quantities required for consumption in their several Districts.

3. The Deputy Commissioners are authorized to grant licenses for the retail sale of opium to any vendors and medical practitioners, in the forms appended to the Rules. As the extremely limited demand for opium in this Province affords but little inducement to persons to trade in it, and as it is important that there should be no difficulty in the way of persons readily obtaining opium for medical purposes or otherwise, care should be taken that no impediments are thrown in the way of persons obtaining licenses except on the ground of doubtful character. The Deputy Commissioners are requested to propose the quarterly fee to be paid by the vendors for their licenses, but no fees are leviable from medical practitioners.

4. The vendors should obtain the opium from the Deputy Commissioners in quantities of not less than 1 seer of 24 tolas weight at a time on prepayment of the price which will be hereafter fixed and intimated. But medical practitioners are not authorized to have in their possession more than 1 seer of opium. They may purchase a less quantity either from licensed vendors or from the Deputy Commissioners.

5. No retail price for vendors, either fixed or a maximum, is prescribed, and such will not be necessary so long as licenses are freely given to competing applicants.

6. The Deputy Commissioners should arrange to terminate all existing contracts and arrangements in regard to opium by the end of the current official year. They should, in due course, report the arrangements made by them in the matter, the licenses issued by them, the manner in which the public requirements in the matter are met, the prices at which vendors sell the article to the public, and whether there is any room for smuggling.

7. In conclusion it is necessary to explain that the provisions of the Act in regard to the cultivation of poppy and the manufacture of and trade in opium are entirely prohibitive, excepting to such extent as is specially permitted by the Rules.

C. RANGACHARLU,
Revenue Secretary.

—The Deputy Commissioners of Districts.
„ Deputy Accountant General.

1880.

GOVERNMENT OF MYSORE;

REVENUE DEPARTMENT.

REVENUE.

T

THE DY. COMMISSIONERS OF DISTRICTS.
„ DY. ACCOUNTANT GENERAL.

Dated 4th February.

Despatched

Received

No. 5903-11.
R. 1035.

SECTION S. R
FILE No. 10 f 75-76
SERIAL No. 25

Consequent on the Opium Act and Rules coming into force from the 1st April 1880, issues instructions relative to the prohibition of the cultivation of poppy and the manufacture, &c., of opium from that date.

Mysore Govt. Press, Bangalore.—7-2-80.—60.

Provinces

From The Secy to the Govt of India No 1098 dt - 8.3.79.

Acknowledges the receipt of the above.

2. To - The Secy to the Govt of India, Foreign Deptt. Simla.

No 2492/R42 dt - 20.6.79.

Submits with certain remarks, for approval, draft rules regar the cultivation of opium &c in the Mysore Province.

9. From The Under Secy to the Govt of India No 1829 dt 19.7.79

5447/129. Directs the regulation of the selling price of Malwa opium to retail vendors within the Province &c. to secure on all opium imported the levy of the full British Pass duty payab on opium passed for ex port irrespective of all charges.

20. From The Under Secy to the Govt of India Deptt of Finance & Commerce

No 1975 dt - 29.7.79.

3797/74. Forwards copies of Mysore opium rules framed by the Governor General in Council for the consideration and appro of the Chief Commr.

21. To - The Secy to the Govt of India. Deptt of Finance & Commerce Simla No 4052/59 dt - 28.10.79.

Accepts the proposed rules re opium and suggests that the Opium Act and Rules come into force in Mysore from 1st April 1880.

2. From The Under Secy to the Govt of India. Deptt of Finance & Commerce

No 3941 dt - 20.11.79.

5469/131. Directs the substitution of a revised Clause for Clause of License form II annexed to the rules framed for Mysore under the opium Act I of 78.

3. From The Under Secy to the Govt of India, Foreign Department

No 95 J. R. dt - 21.11.79.

Forwards six copies of the amended opium Rules for Mysore and a revised Notifn regarding the levy of duty on the opium Regd for Mysore.

4. To The Compiler of the Mysore Gazette, Bangalore No 5883/1028 dt 4

Request that the accompanying rules (received with SC) may be published in three successive issues of the Mysore Gazette in English & Canarese, and that 200 copies in English and 200 in Canarese of the opium Act with the Govt of India Notifn and of the rules may be furnished for distribution to Dist officers.

25. To - The Dy Comrs of Distts } No 5903-11/R1035 dt 4th July 1880.
The Dy Accountant General }

Issues instructions relative to the Prohibition of Cultivation of Poppy and the Manufacture &c of Opium from that date Consequent on the Opium Act and Rules coming into force from the first April 1880.

H. K. Larken